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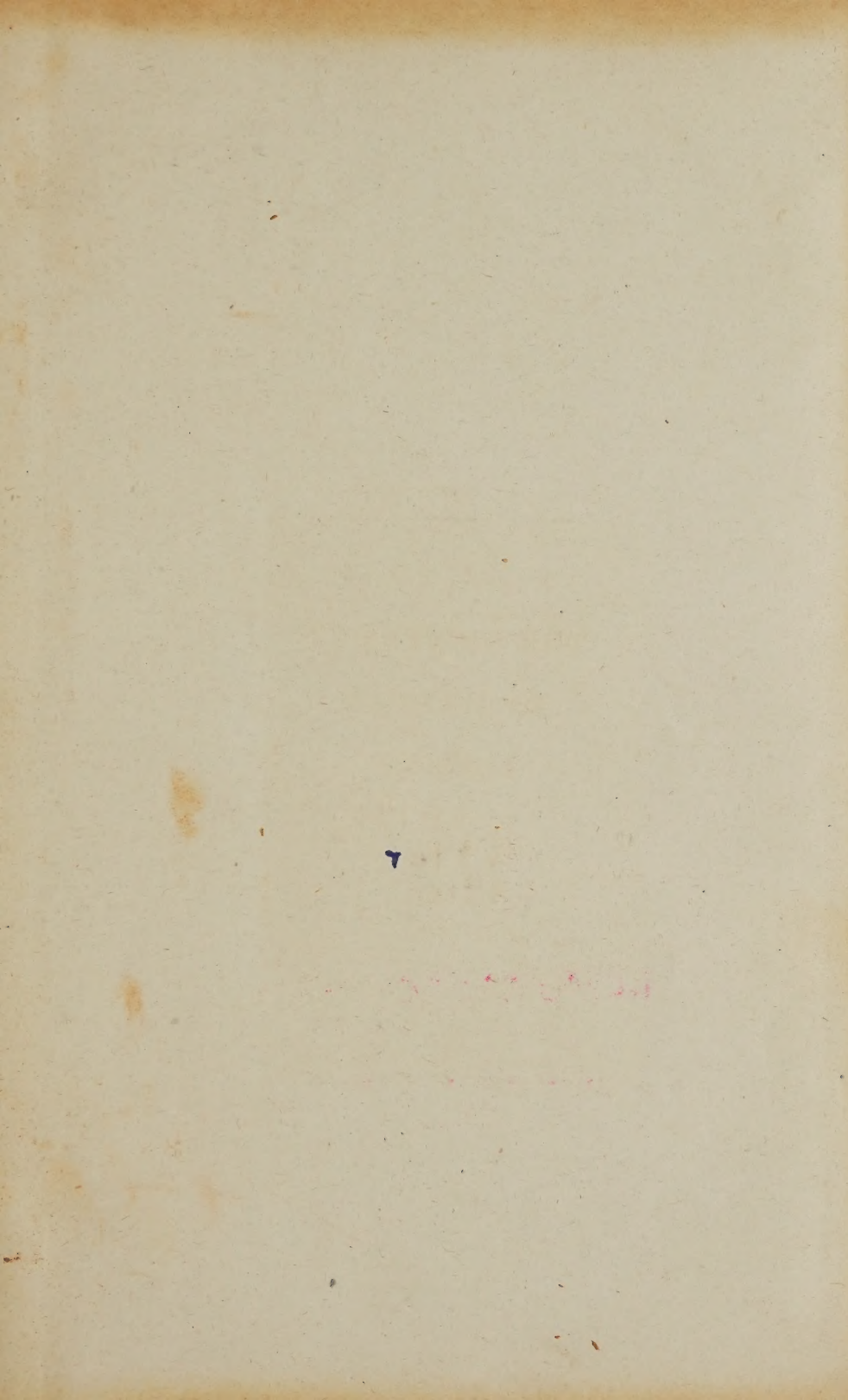
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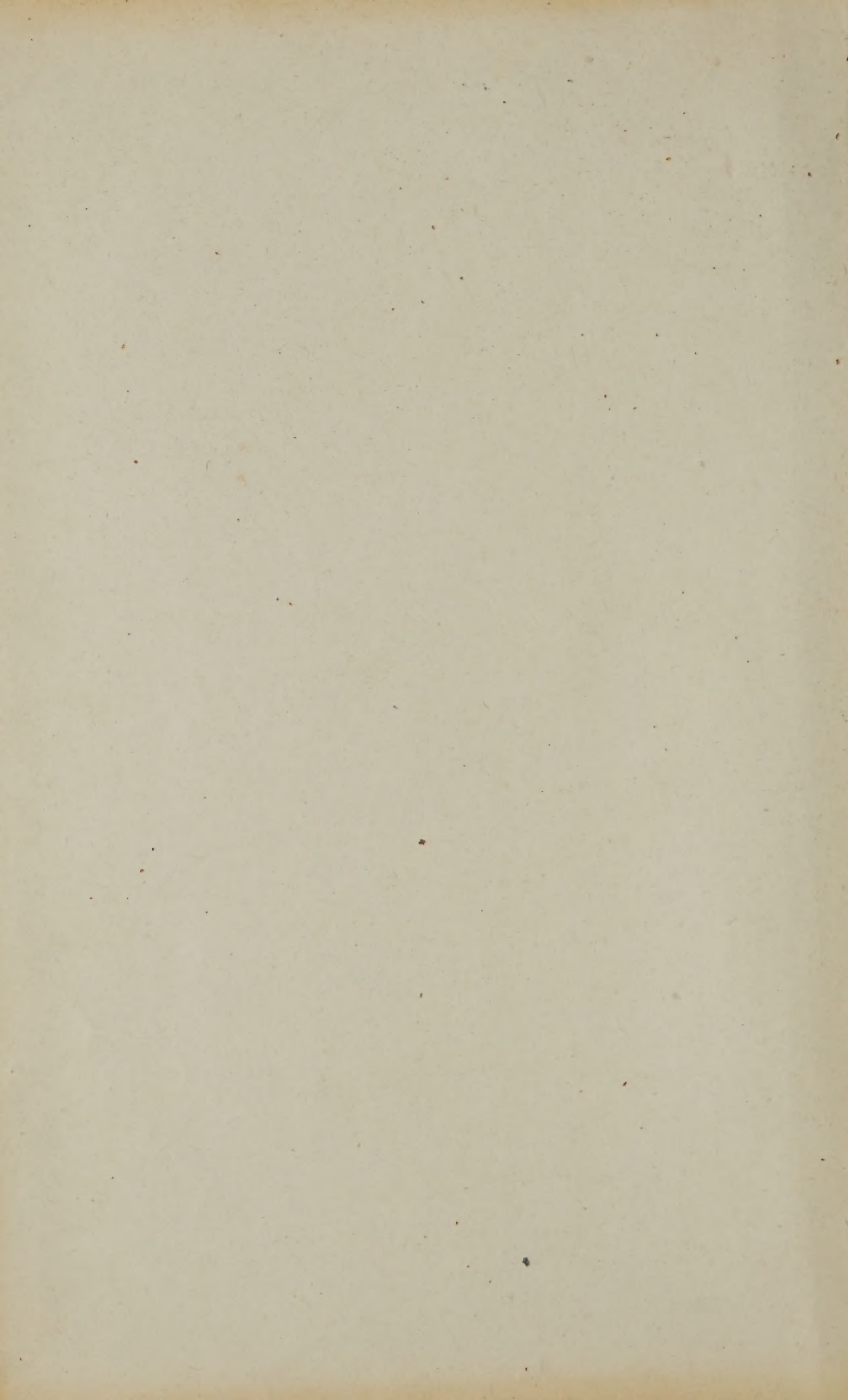
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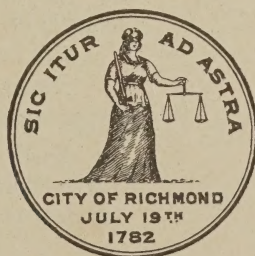
BOOKSTACKS OFFICE





THE
CHARTER
AND THE
GENERAL ORDINANCES
OF THE
CITY OF RICHMOND

Compiled by the City Attorney by authority of a joint resolution of the Council of the city of Richmond approved March 9, 1908, and adopted as Richmond City Code 1910 by the ordinance approved October 25, 1910, entitled "An ordinance arranging and consolidating into a Code the general ordinances of the city of Richmond in force September 1, 1910."



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THE
CHARTER
OF THE
CITY OF RICHMOND

COMPILED BY
THE CITY ATTORNEY
AND PRINTED BY
THE COMMITTEE ON PRINTING AND CLAIMS
BY AUTHORITY OF A
JOINT RESOLUTION OF THE CITY COUNCIL,
APPROVED MARCH 9, 1908.

THE CHARTER OF THE CITY OF RICHMOND

As Provided by the Act of the General Assembly of Virginia, Approved May
24, 1870, and the Acts Amendatory Thereof.

(The references are to the Acts of the General Assembly by which the particular section has been amended. Where there is no reference the section remains as originally adopted.)

CHAPTER 1.

ELECTIONS.

1. Be it enacted by the general assembly, That the territory contained within the limits prescribed by the act passed February thirteenth, eighteen hundred and sixty-seven, and entitled an act to extend and define the boundaries of the city of Richmond, and by any act hereafter passed by the general assembly of this State, shall be deemed and taken as the city of Richmond; and the inhabitants of the city of Richmond, for all purposes for which towns and cities are incorporated in this Commonwealth, shall continue to be one body politic, in fact and in name, under the style and denomination of The City of Richmond, and as such shall have, exercise, and enjoy all the rights, immunities, powers, and privileges, and be subject to all the duties and obligations now incumbent and appertaining to said city as a municipal incorporation.

2. The administration and government of the said city shall be vested in one principal officer, to be styled the mayor; two boards, to be called respectively the common council and board of aldermen of the city of Richmond; and in such other boards and officers as are hereinafter provided for. (1874, p. 229.)

3. The said city shall be divided into eight wards, which number of wards the city council hereafter may increase as they may deem it expedient. Every such division shall be made in such manner as to include an equal number of voters in each ward as nearly as conveniently may be consistent with the well-defined limits of each ward. Until such revision be made the boundary lines of wards shall remain as now established, except that Clay ward shall be bounded as follows, namely: Commencing at a point on the corporation line at its intersection with the center line of Belvidere street; thence northwardly along the center line of Belvidere street to its intersection with the center line of Franklin street; thence westwardly along the center line of Franklin street to its intersection with the center line of Laurel street; thence southwardly along the center line of Laurel street to its intersection with the center line of Park avenue; thence westwardly along the center line of Park avenue to the corporation line; thence southwardly along the corporation line to the beginning. And except further, that the seventh ward hereby established, to be called and known as Lee ward, shall be bounded as follows, namely: Commencing at a point on the corporation line at its intersection with the center line of Park avenue; thence eastwardly along the center line of Park avenue to its intersection with the center line of Laurel street; thence northwardly along the center line of Laurel street to its intersection with the center line of Franklin street; thence eastwardly along the center line of Franklin street to its intersection with the center line of Belvidere street; thence southwardly along the center line of Belvidere street to its intersection with the center line of Main street; thence eastwardly along the center line of Main street to its intersection with the center line of Adams street; thence northwardly along the center line of Adams street to its intersection with the center line of Leigh street; thence westwardly along the center line of Leigh street to the corporation line, thence southwardly along the corporation line to the beginning. (1901-2, p. 73; 1906, p. 370; Ordinance March 5, 1910.)

4. Whenever any special election shall be ordered by the city council for an object not provided for in the general election laws of the State, they shall communicate their order for the same to the judge of the corporation court, and the same proceedings shall be had as are provided by the laws of the State for special elections to fill vacancies in any municipal office. (1869-70, p. 451.)

5. The mayor and members of the board of aldermen and of the common council of the city of Richmond shall be elected on the second Tuesday in June immediately preceding the expiration of the term of

office of their predecessors, and their terms of office shall begin on the first day of September succeeding; all other elective officers of the city of Richmond shall be elected on Tuesday after the first Monday in November, and their terms of office shall begin on the first day of January succeeding, except the terms of office of the clerks of the corporation courts of the city of Richmond shall begin coincidently with those of the judges of their said courts. In the event of the adoption of any resolution or ordinance of the council or act of the general assembly of Virginia heretofore or hereafter passed changing the boundary of any ward or wards or establishing a new ward out of the territory of another ward or wards, by reason of which any member of either branch of the city council, any fire commissioner, any police commissioner, any magistrate, or any other city officer, who is required to reside in the ward from which he is elected, becomes a resident of a new ward or some other ward than that from which he was elected, then, in that event, such officer shall continue in office to the end of the full term for which he was elected, just as if there had been no change in the wards of the city; but the terms of office of all officers whose residence is not changed by the creation of a new ward or change of the boundaries of the old wards shall not be affected, but such term or terms shall continue, expire, and be filled, as if there had been no creation of new wards or change of boundaries of old wards.

But when, by the change of the boundaries of a ward or the creation of a new ward, or the abolition of a ward, a member of the board of aldermen becomes a resident of some ward other than that from which he was elected, and his term of office does not expire on the first day of September following the ensuing municipal election, he shall become a member of the board of aldermen from the ward from which he, by such change, has become a resident for the last two years of his term. (1904, p. 133.)

6. In cases of vacancies arising in any office elective by the people when a general election will occur before the expiration of the term of such office, at which an election can be legally held for the purpose, it shall be the duty of the mayor, upon the happening of any such vacancy or vacancies, forthwith to certify the fact of such vacancy or vacancies to the judge of the Hustings Court, who shall issue his writ requiring an election to fill such vacancy or vacancies, to be held at such general election in the manner prescribed in the general laws of the State. (1906, p. 78.)

7. The mayor and the members of the city council, before entering upon the duties of their respective offices, shall be respectively sworn in

accordance with the laws of this State. Such oaths may be administered to the mayor-elect by any judge of a court of record commissioned to hold any such court within said city; and the members of the city council by the mayor, being himself first sworn as aforesaid, or by any judge of any court of record as aforesaid; and a certificate of such oaths having been respectively taken, shall be filed with the city clerk, and entered upon the journal of the city council. Every other person elected or appointed to any office under this act or under any law or ordinance of the city council, shall before he enters upon the duties of said office, take and subscribe said oath, and such other oaths as may be required by law or ordinance, before the mayor or city clerk, the said clerk having himself been first sworn by said mayor or a judge of a court of record as aforesaid; and a certificate of the same shall be filed in the office of said city clerk. If any person, elected or appointed to any office in said city, shall neglect to take such oath for forty days after receiving notice of his election or appointment, or shall neglect, for the like space of time, to give such securities as may be required of him by the city council, as hereinafter provided, or as may be hereafter required by any law or ordinance, he shall be considered as having declined such office, and the same shall be deemed vacant; and whenever any such vacancy shall occur, another election shall be ordered or another appointment made, according to the directions of this act. (1869-70, p. 452.)

CHAPTER 2.

MAYOR.

8. The mayor shall be elected by the qualified voters of the city of Richmond for a term of four years and until his successor shall be elected and qualify. His salary shall be fixed by the city council, payable at stated periods, and he shall receive no other compensation or emolument whatsoever; and no regulations diminishing such compensation, after it has been once fixed, shall be made to take effect until after the expiration of the term for which the mayor, then in office, shall have been elected. The salary of the mayor when fixed, shall so continue until changed by the city council as aforesaid. (1902-03-04, p. 669.)

9. He shall, by virtue of his office, possess all the jurisdiction and exercise all the powers and authority, in criminal cases, of a justice of the peace of said city, in addition to the powers hereby given to him by virtue

of this act, or that may hereafter be given to him by virtue of any other act of assembly; but, he shall receive no fees for his services as such justice of the peace.

10. It shall be his duty to communicate to the city council annually, as soon as may be after the commencement of the fiscal year, and oftener if he shall deem it expedient, or be required by said council, a general statement of the situation and condition of the city in relation to its government, finances, and improvements, with such recommendations as he may deem proper.

11. He shall exercise a constant supervision over the conduct of all subordinate officers, have power and authority to investigate their acts, have access to all books and documents in their offices, and may examine said officers and their subordinates on oath. He shall also have power to suspend or remove such officers for misconduct in office, or neglect of duty, to be specified in the order of suspension or removal; but no such removal shall be made without reasonable notice to the officer complained of, and an opportunity afforded him to be heard in his defence. On the removal or suspension of such officer or officers, the mayor shall report the same, with his reasons therefor, to the city council at their next stated meeting.

12. In case of the absence or inability of the mayor, the president of the board of aldermen shall possess the same powers and discharge the municipal duties of the mayor, during such absence or inability.

13. In case a vacancy shall occur in the office of mayor, the city council shall elect a qualified person to supply the vacancy until the first general election which may be held in the city thereafter, when the vacancy shall be filled by election for the unexpired term. (1869-70, p. 452.)

CHAPTER 3.

THE CITY COUNCIL.

14. The council of the city of Richmond shall be formed of two distinct branches; one of these shall be called the common council, and shall consist of five members from each ward, to be elected every two years; the other shall be called the board of aldermen, and shall consist of three members from each ward, to be elected every four years. The members of the board of common council and aldermen shall be residents of their respective wards, and shall not be less than twenty-one

years of age. They shall be elected by the electors of their respective wards. Upon the assembling of the members of the board of aldermen, so elected, they shall be divided into two equal classes, to be numbered by lot. The term of service of the members of the first class shall expire with that of the members of the common council elected at the first election after the passage of this act, and the term of service of the members of the second class shall expire with that of the members of the common council elected at the second election after the passage of this act, and this alternation shall continue, so that one-half of the members of the board of aldermen may be chosen every two years. (1869-70, p. 452; 1870-1, p. 326; 1874, p. 229.)

15. When any vacancy shall occur in either branch by death, resignation, removal from the ward, failure to qualify, or from any other cause, the branch in which said vacancy occurs shall elect a qualified person to supply the vacancy for the unexpired term. But in event of any resolution or ordinance of the council, or act of the general assembly of Virginia, heretofore or hereafter passed changing the boundaries of any ward, or establishing any new ward out of the territory of another ward, by reason of which any member of either branch who may have been elected from one ward, and who may, as a result of such change, become a resident of some other ward before the term for which he shall have been elected shall have expired, then, in that event, such member shall continue in office to the end of the full term for which he was elected, as if he were a duly elected member from the new ward of which he may have become a resident by reason of such change. Upon the formation of a new ward, either by resolution of the council or by act of the general assembly of Virginia, the members elected to represent such new ward in the board of aldermen shall be divided into two classes, to be numbered by lot upon the assembling of the board of aldermen at its first meeting after the first day of July next succeeding the election of such members. One of said members shall be of the first class, and two of said members shall be of the second class; and the terms of the service of the said members of the first and second classes, respectively, shall be for such time and expire as provided for in section fourteen. (1901-2, p. 139.)

16. Each branch of the council shall also elect one of its members to act as president, who shall preside at its meetings and continue in office two years, unless it be to fill a vacancy, when he shall be elected for the unexpired term. Each branch of the council shall also elect one of its members to be a vice-president, who shall preside at such meetings in the absence of the president, and who, when the president shall be absent from the city or shall be unable to perform the duties of his office

by reason of sickness or other cause, shall perform any and all duties required of or entrusted to such president under any provision of this charter. When for any cause both the president and the vice-president shall be absent from any meeting a president pro tempore shall be elected by the respective branch, who shall preside during the absence of the president and vice-president. The president, vice-president or president pro tempore, who shall preside when the proceedings of a previous meeting are read, shall sign the same. The president of each branch or the vice-president, when authorized as above stated to act for the president, shall have power at any time to call a meeting of his branch of the council; and in case of absence, sickness, disability or refusal to act of both the president and vice-president of a branch of the council, that branch may be convened by the order in writing of any three members of said branch. (1897-8, p. 542.)

17. Each branch shall have authority to adopt such rules and to appoint such officers and clerks as it may deem proper for the regulation of its proceedings, and for the convenient transaction of business, to compel the attendance of absent members, to punish its members for disorderly behavior, and by a vote of two-thirds of its members to expel a member for malfeasance or misfeasance in office. Each branch shall keep a journal of its proceedings, and its meetings shall be open, except when public welfare shall require secrecy. The city council or any of its committees, when authorized by the said council, the board of police commissioners and the board of fire commissioners may each, in any investigation held by them, respectively, within their respective powers and duties, order the attendance of any person as a witness, and the production by any person of all proper books and papers. Any person refusing or failing to attend may be summoned before the police justice of the city, and upon failing to give a satisfactory excuse to said police justice may be fined not exceeding the sum of one hundred dollars or imprisoned not exceeding thirty days; such person to have the right of appeal as in case of misdemeanor to the hustings court of Richmond. Such witness may be sworn by the officer presiding at such investigation, and shall be liable to prosecution for perjury for any false testimony given at such investigation.

18. A majority of the members of each branch shall constitute a quorum for the transaction of business, but on all ordinances or resolutions appropriating money exceeding one hundred dollars, imposing or releasing taxes or authorizing the borrowing of money, or donating any property of the city, or increasing any salary or pay of any employee of the city, where the value of such property is one hundred dollars or more, or the aggregate of such increase of salary is one hundred dollars or

more for any one year, a vote of two-thirds of all the members elected to each branch shall be necessary, and the yeas and nays shall be entered on the journal of each branch, respectively. No vote shall be reconsidered or rescinded at any special meeting, unless at such special meeting there be present as large a number of members as were present when such vote was taken. No ordinance or resolution appropriating money exceeding the sum of one thousand dollars, imposing taxes, or authorizing the borrowing of money, shall be passed by the two branches on the same day; nor shall any such ordinance or resolution be valid unless at least three days intervene between its passage by the said branches, respectively. (1899-00, p. 287.)

19. The council of the city of Richmond shall have power to enact suitable ordinances to secure and promote the general welfare of the inhabitants of the city, by them deemed proper for the safety, health, peace, good order, and morals of the community, and to make and adopt ordinances and resolutions concerning the control and management of the fiscal and municipal affairs of the city, and of all property, real and personal, belonging thereto, deemed proper to secure the selection of honest and competent officers and to promote efficiency and integrity in the discharge of official duties. They shall, in addition, likewise have power to make such ordinances, resolutions and regulations as they may deem desirable and suitable to carry out the following specified powers which are hereby vested in them: (1908, p. 152.)

19a. To establish markets in and for said city; appoint clerks and proper officers therefor; prescribe the times and places for holding the same; provide suitable buildings therefor, and to enforce such regulations as shall be necessary or proper to prevent huckstering, forestalling, and regrating.

19b. To erect or provide, in or near the city, suitable work houses, houses of correction or reformation, and houses for the reception and maintenance of the poor and destitute. They shall possess and exercise exclusive authority over all persons within the limits of the city receiving or entitled to the benefits of the poor-laws; appoint officers and other persons connected with the aforesaid institutions, and regulate pauperism within the limits of the city; and the council, through the agencies it shall appoint for the direction and management of the poor of the city, shall exercise the powers and perform the duties vested by law in overseers of the poor.

19c. To erect and keep in order all public buildings necessary or proper for said city; to open, regulate the use of, and to ornament public squares and parks, and may maintain nurseries for the propagation and growth of trees and shrubs to be used for the purpose of improving,

shading and ornamenting such squares, parks and streets of the city, and may authorize the exchange or donation of any surplus stock of such trees or shrubs to be used for a like purpose by other persons within or without the city.

19d. To erect within said city a city prison, and said prison may contain such apartments as shall be necessary for the safe keeping and employment of all persons confined therein.

19e. To establish, maintain, enlarge or improve water works, gas works, and electric plants within or without the limits of the city of Richmond, and furnish water, gas, and electricity to consumers for domestic or commercial purposes, and charge and collect compensation therefor, and to accomplish these purposes, to contract and agree with owners of land for the use or purchase thereof, and for all land, rights, or easements necessary for the construction, maintenance or repair of dams, sluices, conduits, culverts, pipes, basins, reservoirs, poles or wires connected therewith, or any fixture or appurtenance thereof, or may have the same condemned for said purposes and for the supplying of water to any canal, sluice, pipes or other fixture or appliance used in connection with said water works whenever, in their discretion, they may deem the same necessary or desirable: provided, that the natural drainage of any roads, streets, or lands outside of its corporate limits shall not be impeded or illegally interfered with by the city in the erection or construction of the works and improvements, or the doing of any other acts authorized by this charter. They shall have power to protect from injury by adequate penalties the said works, pipes, poles, wires, fixtures, land and canals, or anything connected therewith, within or without the limits of said city, and to prevent the pollution of water in James river or in any branch or stream flowing into the same by prohibiting the throwing or discharge in any manner of any filth, offensive and deleterious matter or liquid therein within fifteen miles above the said works, as to render, or probably to render, the water impure. There shall be no lease nor sale of the city gas, water, or electric works, unless the proposition shall first be submitted to the voters of the city of Richmond, at some regular election, and receive in favor thereof a majority of all votes cast at such election.

19f. To establish, construct, keep in order, alter or remove landings, wharves, docks, streets and approaches thereto, and the lands already belonging to the city or acquired by the city by condemnation or otherwise, for such purpose, and to lay and collect a reasonable duty on vessels coming to and using the same, or lease the use of such landings, wharves or docks upon such terms and conditions as to them may seem just, and to regulate the manner of using other wharves and landings

within the corporate limits, to prevent or remove all obstructions in and upon any landings, wharves or docks. The said city shall have the power to improve and keep in good, safe and navigable condition the harbor of James river, within the corporate limits, and to that end to acquire, by condemnation or otherwise, all lands or interests therein deemed by the council necessary for such improvement, and to hold such land as public property, or lease, sell or otherwise dispose of the same, for the better improvement, maintenance or use of harbor. They may also appoint port-wardens for the port of said city, who shall exercise such powers as the council may give them up to the port-warden's lines, as they may be established from time to time by the United States government, and fix their fees and compensation. The city council of said city shall have all the powers set forth in sections two thousand and eleven, two thousand and thirteen, and two thousand and fourteen of the Code of Virginia, eighteen hundred and eighty-seven, which powers it may delegate to some proper committee of persons satisfactory to the said council.

19g. To close or extend, widen or narrow, lay out and graduate, pave and otherwise improve streets and public alleys in the city, and have them properly lighted and kept in good order; and they shall have over any street or alley in the city which has been or may be ceded to the city, like authority as over other streets or alleys. They may build bridges in and conduits under said streets, or authorize the construction of conduits, and annex conditions and restrictions to the construction, maintenance and use thereof and they may prevent or remove any structure, obstruction or encroachment over or under or in any street or alley or any sidewalk thereof, and may have shade trees planted along the said streets; and no company shall occupy with its works the streets of the city without the consent of the council. In the meantime, no order shall be made, and no injunction shall be awarded, by any court or judge, to stay the proceedings of the city in the prosecution of their works, unless it be manifest that they, their officers, agents or servants are transcending the authority given them by this act, and that the interposition of the court is necessary to prevent injury that cannot be adequately compensated in damages. And in any action against the city to recover damages against it, for any negligence in the construction or maintenance of its streets, alleys or parks, where any person is liable with the city for such negligence, every such person shall be joined as defendant with the city in any action brought to recover damages for such negligence, and where there is a judgment or verdict against the city, as well as the other defendant, it shall be ascertained

by either the court or the jury, which of the defendants is primarily liable for the damages assessed.

19h. To construct and maintain or authorize the construction or maintenance of bridges and viaducts over James river or other stream or creek, or over any ravine, where any portion thereof is within the city limits, and to construct and maintain, or authorize the construction and maintenance of, subways, vaults, areas, or cellars under the streets or other public places, or elsewhere within the limits of the city, and charge and collect compensation for use of same, and to prevent injury to or obstruction of the streets, alleys, or other public places or property of the city; but any bridge constructed across James river under authority of this section shall be free to the public, except that compensation may be required of transmission or transportation companies for the use of such bridge.

19i. To authorize the laying down of railway tracks in the streets of the city and the running of cars thereon, under such conditions and regulations as they may prescribe, and also, from time to time, to prescribe additional conditions and regulations as to the construction, reconstruction, repair, and maintenance of the tracks, road-bed, and cars, and the running of cars on such tracks. The city council may take, under any contract hertofore made, hold, maintain and operate any street railway and fixtures thereto belonging, lying within the city, and the lots and buildings and appurtenances owned by such company, and the equipment thereof, and maintain and operate the same for the carriage of passengers or freight, for hire or reward, or, when so taken, the council may grant the same to be operated by some other person; and, in order to meet the expense of such acquisition, may issue bonds, to be known as "city railway bonds," and secure the same upon the road-bed, tracks, rolling stock, and earnings of such street railway. The city council may likewise construct sewers, culverts, or drains under the streets, alleys or other public places of the city, and may compel the use thereof, and assess the expense of such construction and reconstruction upon the real estate which, in their opinion, shall be benefited thereby, as prescribed by section one thousand and forty-three of the Code of eighteen hundred and eighty-seven, as amended by an act approved March four, eighteen hundred and ninety-six (acts eighteen hundred and ninety-five and ninety-six, page seven hundred and ninety-nine), or they may, in lieu of such assessment, assess and collect compensation for the use of such sewers, culverts, or drains and compel the payment of such compensation; and in order to meet the expense of the construction of such sewers, culverts, or drains; may issue bonds, to be known as "culverts bonds," to the payment of the interest on which all

revenue derived from the hire of the use of such sewers, culverts, or drains shall be dedicated.

And the city council may acquire, by condemnation or otherwise, any interest or right of any property holder in and to the use of any sewer, culvert, or drain already constructed in the city, and when such right shall be so acquired, charge such person for the use of the same.

19j. To determine and designate the route and grade of any railroad to be laid in said city, and to restrain and regulate the rate of speed of locomotives, engines, and cars upon the railroad within the said city, and may wholly exclude the said engines or cars, if they please; provided, no contract be thereby violated.

19k. To regulate and prescribe the breadth of tires upon the wheels of wagons, carts, and vehicles of heavy draft upon the streets of said city; but the foregoing shall not apply to vehicles coming into and not owned in said city; and to limit the speed of street cars and vehicles on the streets, and to prescribe the motive power that may be used for their propulsion, and also to prescribe the kind, character, and weight of vehicles that may be used in parks and on any particular street or streets.

19l. To require spirituous liquors, wines, oils, molasses, vinegar, and spirits of turpentine, in casks, to be gauged and inspected; and may make such provision for the weighing of hay, fodder, oats, shucks, or other long forage, as will not be in conflict with the act passed the twenty-second of March, eighteen hundred and forty-seven, to prevent the authorities of said city from laying and collecting a tax on the bales of hay sent by the farmers of the State to said city. They may also provide for measuring corn, oats, grain, coal, stone, wood, lumber, boards, potatoes, and other articles for sale or barter.

19m. To require every merchant, retailer, trader and dealer in merchandise, or property of any description, which is sold by measure or weight, to cause their weights or measures to be sealed by the city sealer, and to be subject to his inspection; and may impose penalties for any violation of any such ordinance.

19n. To grant aid to military companies and regiments organized within the city; to societies or associations for the advancement of agricultural and the mechanic arts; to scientific, literary, and benevolent societies; provided, such societies or associations are located in or near the city, or, in the case of agricultural societies, shall hold their fairs in or near the city; and to provide or aid in support of public libraries and public schools.

19o. To secure the inhabitants from contagious, infectious or other dangerous diseases; to establish, erect and regulate hospitals; to provide for and force the removal of patients to said hospitals; for the appoint-

ment and organization of board of health for said city, with the authority necessary for the prompt and efficient performance of its duties; to authorize the supervision by a city official of the construction and maintenance of all water and sewerage pipes, traps and other fixtures, and to require the use of such pipes, traps and other fixtures as the city council or its duly authorized official or committee may deem proper as sanitary measures; for the prescribing of the duties of the coroner of the city of Richmond, who shall be appointed, as provided under the general statutes of the State, by the judge of the hustings court, but who shall receive, instead of fees, a salary, to be determined by the city council, and to be paid by the city; provided, the salary of the said coroner shall not be less than two thousand dollars. He shall be a physician of not less than five years' standing, and shall also be a chemist. He shall hold all the inquests and make all post-mortem examinations without the assistance of any medical experts for whose assistance the city may be liable, without the consent of the mayor.

19p. To provide, in or near the city, lands to be appropriated, improved, and kept in order, as places for the interment of the dead, and may charge for the use of ground in said places of interment, and may regulate the same; may prevent the burial of dead in the city, except in the public burying-ground; may regulate burials in said grounds, and may require the keeping and return of bills of mortality by the keepers or owners of all cemeteries.

19q. To establish a quarantine ground for the city; but before said ground shall hereafter be located in any county the assent of the circuit court of said county or the judge thereof in vacation shall be obtained.

19r. To require and compel the abatement and removal of all nuisances, and to raze or compel the proper repair of all unsafe or dangerous buildings, walls, or other structures or buildings which, by their neglect or otherwise, constitute a menace to health or thereby are liable to originate or spread fire, within said city, at the expense of the person or persons causing the same, or the owner or owners of the ground whereon the same shall be, or the owner or owners of such building or other structure; to prevent or regulate slaughter-houses and soap and candle factories within said city, or the exercise of any dangerous, offensive, or unhealthy business, trade or employment therein, and to regulate the transportation of coal and other articles through the streets of the city.

19s. If any ground in the said city shall be subject to be covered by stagnant water, or if the owner or owners, occupier, or occupiers thereof, shall permit any offensive or unwholesome substance to remain or accumulate therein, the council may cause such ground to be filled up,

raised, or drained, or may cause such substances to be covered or to be removed therefrom, and may collect the expense of so doing from the said owner or owners, occupier or occupiers, or any of them, by distress and sale, in the same manner in which taxes, levied upon real estate for the benefit of said city, are authorized to be collected; provided, that reasonable notice shall be first given to the said owners or their agents. In case of non-resident owners, who have no agent in said city, such notice may be given by publication for not less than four weeks in any newspaper printed in said city.

19t. To direct the location of all buildings for storing gun-powder or other combustible substances, and to regulate the sale or use of gun-powder, fire-crackers, or fire-works manufactured or prepared therefrom, kerosene oil, nitro-glycerine, camphene, burning fluid; or other combustible material; to regulate the exhibition of fire-works, the discharge of fire-arms, the use of candles and lights in barns, stables, and other buildings, and to restrain the making of bonfires in streets and yards.

19u. To prevent hogs, dogs, and other animals from running at large in the city, and may subject the same to such confiscations, regulations, and taxes as they may deem proper; and the council may prohibit the raising or keeping of hogs in the city.

19v. To prevent the riding or driving of horses or other animals at an improper speed; to prevent the flying of kites, throwing stones, or the engaging in any employment or sports in the street or public alleys dangerous or annoying to passengers, and to prohibit and punish the abuse of animals.

19w. To restrain and punish drunkards, vagrants, mendicants, and street beggars.

19x. To prevent vice and immorality; to preserve public peace and good order; to prevent and quell riots, disturbances, and disorderly assemblages; to suppress houses of ill fame and gaming houses; to prevent lewd, indecent, and disorderly conduct or exhibitions in the city, and to expel therefrom persons guilty of such conduct who shall not have resided therein as much as one year.

19y. To forbid and prevent the vending or other disposition of liquors and intoxicating drinks, to be drunk in any canal boat, store, or other place not duly licensed; and to forbid the selling, or giving to be drunk, any intoxicating liquors to any child or young person without the consent of his or her parents or guardian; to grant, or refuse, licenses to sell wine, or spirituous or fermented liquors, under such regulations as it may prescribe; and to limit the number of licenses so granted; and for any violation of any such ordinance, may impose fines in addition to those prescribed by the laws of the State.

19z. To prevent the coming into the city, from beyond the limits of the State, of persons having no ostensible means of support, or of persons who may be dangerous to the peace and safety of the city; and for this purpose may require any railroad company, or the captain or master of any vessel bringing such passengers to Richmond, to enter into bond, with satisfactory security, that such persons shall not become chargeable to the city for one year, or may compel such company, captain, or master to take them back from whence they came, and compel the persons to leave the city if they have not been in the city more than thirty days before the order is given.

20. Where, by the provisions of this act, the city council has authority to pass ordinances on any subject, they may prescribe any fine or penalty, not exceeding five hundred dollars (except where a fine or penalty is herein otherwise provided for), for a violation thereof, and may provide that the offender, on failing to pay the fine or penalty imposed, shall be imprisoned in the jail of the said city for any term not exceeding three calendar months. Such imprisonment may be ordered to be with or without labor; when ordered to be with labor the council may by ordinance declare what kind of labor shall be done for the city by such offenders either at said jail or elsewhere in the said city. And the city council may subject the parent or guardian of any minor, or the master or mistress of any apprentice, to any such fine for any such offense committed by such minor or apprentice. From any fine or imprisonment imposed an appeal lies to the hustings court of the city as in cases of misdemeanor. Whenever any fine or penalty shall be imposed but not paid, the police justice, if he shall not order the party to be imprisoned in the city jail, may, unless an appeal be taken forthwith, issue a writ of fieri facias for said fine, directed to the sergeant of the city. Such writ must be made returnable to the said police justice within sixty days from its issuance. (1897-8, p. 543.)

21. No ordinance hereafter passed by the city council for the violation of which any penalty is imposed shall take effect until the same shall have been published for five days consecutively in one of the daily newspapers of said city, to be designated by the said council; provided, however, that the requirement shall not apply to an ordinance merely granting to a person some individual right or privilege, nor to any ordinance re-ordained, or amended or re-ordained in or by compilation or codification of said ordinances. A record or entry made by the clerk of said city, or a copy of such record or entry duly certified by him, shall be prima facie evidence of the time of such publication; and all laws, regulations, and ordinances of the city council may be read in evidence in all courts of justice, and in all proceedings before any officer, body, or board in

which it shall be necessary to refer thereto, either from a copy thereof certified by the clerk of said city, or from the volume of ordinances printed by the authority of the city council. (1874, p. 230.)

22. The city of Richmond shall not take or damage private property for the opening or improvement of streets or for any other public purposes without making to the owner thereof just compensation for the same, but in all cases where land or other property, or any right, easement or estate therein is needed or will be damaged for any use authorized by this charter, which cannot, because of the incapacity of the owner, or inability to agree upon the compensation to be paid or terms of settlement, or because the owner cannot, with reasonable diligence, be found in this State, or is unknown, agree on terms of purchase or settlement with those entitled to said land, property, interest, right, easement or estate, the city of Richmond may acquire the same or have the damages ascertained by condemnation proceedings instituted in the circuit court of the county in which such land, property, interest, right, easement or estate lies or is situated, or in the hustings court of the city of Richmond if the subject lies or is situated within the city; such proceedings to be instituted and conducted as provided by law. And in the event the said city shall proceed to acquire by condemnation a right of way for any bridge or viaduct over the lands of the owner of any toll bridge or viaduct now in existence, the commissioners, in awarding damages, shall be governed by the general law of the State concerning the exercise of the power of eminent domain. (1906, p. 80.)

23. In every case where a street or alley in said city has been or shall be encroached upon by any fence, building, or otherwise, the city council may require the owner or owners, if known, and if unknown, the occupant or occupants of the premises so encroaching, to remove the same. If such removal shall not be made within the time ordered by the council, they may impose a penalty of five dollars for each and every day that it is allowed to continue thereafter, and may cause the encroachment to be removed and collect from the owner all reasonable charges therefor, with costs, by the same process that they are hereinafter empowered to collect taxes; provided, however, that in any case where a street or alley, as originally laid out or established, has been encroached upon by any building for a period of twenty years, the part of the street so encroached upon and actually occupied by said building shall not be reclaimed or taken possession of by said city for the public as a street or alley until said building shall be rebuilt, or destroyed, or removed, or until the front of the building shall be removed or rebuilt. Hereafter the said city shall have the right to sue in ejectment to recover possession

of land claimed by her as a public highway. (1883-4, p. 494; 1891-2, p. 660.)

24. Whenever any street, alley, or lane shall have been opened to and used as such by the public for the period of five years, the same shall thereby become a street, alley, or lane for all purposes, and the city shall have the same authority and jurisdiction over, and right and interest therein, as they have by law over the streets, alleys, and lanes laid out by it. And any street or alley reserved in the division or subdivision into lots of any portion of the territory within the corporate limits of the city, by a plat or plan of record, shall be deemed and held to be dedicating to the public use; and the council shall have authority, upon the petition of any person interested therein, to open such street or alley, or any portion of the same. No agreement between, or release of interest by, the persons owning the lands immediately contiguous to any such alley or street, whether the same has been opened and used by the public or not, shall avail or operate to abolish said alley or street as to divest the interest of the public therein, or the authority of the council over the same.

24a. That the city of Richmond shall have the control and management of Grove avenue from the western limits of said city to the Soldiers' Home, and of said boulevard from the Broad street or Mountain road to said Reservoir, and of the city's grounds contiguous thereto, and of a road running East from the corporate limits along P street to Thirty-fourth street extended; thence northwardly along Thirty-fourth street extended to Oakwood avenue; thence along Oakwood avenue to Oakwood cemetery; and that said city of Richmond shall have the power to make such ordinances, orders and regulations relating to said avenues, roads, and grounds as it may deem proper and necessary; but the citizens of the county shall have the same privileges thereon as the citizens of the city of Richmond. (1904, p. 82.)

24b. That the city of Richmond shall have the control and management of the Broad street road from its intersection with the boulevard leading to Grove avenue to the western limits of said city, and that said city of Richmond shall have the power to make such ordinances, orders and regulations relating to the said roads as it may deem proper and necessary; but the citizens of the county shall have the same privileges as the city of Richmond. (1895-6, p. 420.)

25. Whenever any new street shall be laid out or graded, or a sidewalk paved, or any other public improvement whatever made, other than a culvert, sewer or drain, the city council may determine what portion, if any, of the expenses thereof ought to be paid from the public treasury, and what portion by the owners of real estate benefited, or may order and

direct that the whole expense be assessed upon the owners of real estate benefited thereby. But no public improvement shall be made, to be defrayed in whole or in part by a local assessment, until first requested by a petition signed by at least a majority of the owners of the property to be assessed for such improvement, or unless at least three-fourths of all the council shall concur in voting any improvement to be expedient, or in determining to make the same after allegations have been heard; in which case no petition or request shall be necessary. The council shall have the same powers to collect such local assessments for improvements as are hereinafter vested in them for the collection of taxes. (1899-00, p. 289.)

26. The city council shall grant and pay to all city officers, clerks, and assistants, elected or appointed under or in pursuance of this act, such salaries or compensation as the said city council may from time to time deem proper, or shall be fixed by this or any other act of assembly hereafter enacted.

27. If any person, having been an officer of said city, shall not, within ten days after he shall have vacated or been removed from office, and upon notification and request of the city clerk, or within such time thereafter as the city council shall allow, deliver over to his successor in office all the property, books and papers belonging to the city or appertaining to such office, in his possession or under his control, he shall forfeit and pay to the city the sum of five hundred dollars to be sued for and recovered with cost. And all books, records, and documents used in any such office, by virtue of any such provision of this act, or of any ordinance or order of the city council, or any superior officer of said city, shall be deemed the property of said city and appertain to said office and the chief officer thereof be responsible therefor.

CHAPTER 4.

CITY OFFICERS.

28. There shall be one auditor, one city treasurer, one collector of city taxes, one commissioner of the revenue, one city attorney, one city engineer, one city clerk, and such clerks and assistants as the city council may see fit, by ordinance, to prescribe and furnish.

29. The council may appoint such officers and clerks as they may deem proper, in addition to those herein provided for, and define their powers and prescribe their duties and compensation, and may take from

any of the officers, and so forth, appointed, bonds, with sureties, in such penalties as the council may see fit, payable to the city by its corporate name, with condition for the faithful performance of said duties. All officers appointed by the council may be removed from office at its pleasure. In case of vacancies occurring in any municipal office, when it is not herein otherwise provided, the city council shall elect a qualified person to fill such office during the unexpired term. (1869-70, p. 453.)

30. The parties to bonds taken in pursuance of the preceding section, their heirs, devisees, executors and administrators, shall be subject to the same proceedings on the said bonds for enforcing the conditions and terms thereof, by motion or otherwise, before the circuit court of the city of Richmond, or any other courts held in the city which may succeed to the civil common-law jurisdiction of said court, that collectors of the county levy and their securities are or shall be subject to, on their bonds, for enforcing payment of the county levies.

31. The city auditor shall be elected by the qualified voters of the city of Richmond. He shall hold his office for the term of two years, and until his successor be elected and qualify, unless sooner removed. He shall hold his office in such place as may be designated and prescribed by the city council. He shall give bond, with sureties, to the amount of not less than thirty thousand dollars, which shall be determined by the city council, before he enters upon the duties of his office; said bond to be approved by the said city council, entered on their record, and filed in the office of the city clerk. The said auditor shall open, and keep in a neat and methodical manner, a complete set of books, under the direction of the city council, wherein shall be stated, among other things, the appropriations of the year for each distinct object and branch of expenditure, and also the receipts from each and every source of revenue, so far as he can ascertain the same. Said books, and all papers, vouchers, contracts, bonds, receipts, and other things, kept in said office, shall be subject to the examination of the mayor, the members of the city council, or any committee or committees thereof. (1869-70, p. 453.)

32. The said auditor shall be charged with and exercise a general supervision over all the officers of the city charged in any manner with the receipt, collection, or disbursement of the city revenues, and the collection and return of such revenues into the city treasury. He shall have charge of all deeds, mortgages, contracts, judgments, notes, bonds, debts, choses in action, belonging to the said city, except such as are confined to the custody of the city clerk, and such other papers as may be committed to his care by the city council, by ordinance or otherwise.

33. The said auditor shall have power to examine all accounts, claims, and demands for or against the said city; and no money shall be drawn

from the treasury or paid by the city to any person, except as herein otherwise provided, unless that balance due or payable be first settled and adjusted by the said auditor; and for the purpose of ascertaining the true state of any balance or balances so due, he shall have, and is hereby clothed with, full power, and authority to administer an oath or oaths to the claimant or claimants, or any other person or persons, whom he may think proper to examine as to any fact, matter, or thing concerning the correctness of any account, claim, or demand presented; and the person so sworn shall, if he swears falsely, be guilty of wilful and corrupt perjury, and be subject to punishment by imprisonment in the penitentiary for not less than one nor more than five years.

34. All money found to be due and payable by the said auditor to any person, shall be drawn by said auditor by warrant on the treasurer, stating the particular fund or appropriation to which the same is chargeable and the person to whom payable; and no money shall be drawn from the treasury except on the warrant of the auditor, as aforesaid. But the auditor is forbidden to issue his warrant for the payment of any money in excess of the appropriation on account of which said money is drawn.

35. It shall be the duty of said auditor, as nearly as may be, to charge all officers in the receipt of revenues or moneys of the city, with the whole amount, from time to time, of such receipts; he shall also require of all officers in receipt of city moneys that they shall submit reports thereof, with vouchers and receipts of payment therefor into the city treasury, weekly or monthly, or as often as he shall see fit to require the same by any regulation which he may adopt; and if any such officer shall neglect to make adjustment of his accounts, when required as aforesaid, and to pay over such moneys so received, it shall then be the duty of said auditor to issue notice in writing, directed to such officer and his securities, requiring him or them, within ten days, to make settlement of his said account with the auditor, and to pay over the balance of moneys found to be due and in his hands belonging to the said city, according to the books of said auditor; and in case of the refusal or neglect of such officer to adjust his said accounts or pay over said balance to the treasurer, as required, it shall then be the duty of said auditor to make report of the delinquency of such officer to the mayor, who shall at once suspend him from office, proceed forthwith to institute the necessary proceedings for the removal of such officer from office, and immediately on his removal, institute suit in the name of said city against him and his securities to recover the balance of moneys so found to be due and in his hands belonging to said city.

36. The auditor shall make out an annual statement, as soon as possible after the end of each fiscal year, giving a full and detailed state-

ment of all the receipts and expenditures during the said year. The said statement shall also detail the liabilities and expenditures during the year, the liabilities and resources of said city, the condition of all unexpended appropriations and contracts unfulfilled, the balances of money then remaining in the treasury, with all sums due and outstanding, the names of all persons who may have become defaulters to the city, and the amounts in their hands unaccounted for, and all other things necessary to exhibit the true financial condition of the city.

37. The auditor shall annually submit to the city council, at their first stated meeting after the beginning of the fiscal year, a report of the estimates necessary, as nearly as may be, to defray the expenses of the city government during the current fiscal year. He shall in said report class the different objects and branches of said city expenditure, giving as nearly as may be, the amount required for each; and for this purpose he is authorized to require of all city officers and heads of departments their statements of the condition and expense of their respective departments and offices, with any proposed improvement, and the probable expense thereof, of contracts already made and unfinished, and the amount of unexpended appropriations of the preceding year. He shall also in such report show the aggregate income of the preceding fiscal year from all sources, the amount of liabilities outstanding upon which interest is to be paid, and of bonds and city debts payable during the year, when due and where payable, so that the city council may fully understand the money exigencies and demands of the city for the current year.

38. In addition to the other duties of the said auditor, it is hereby made his duty, on the last day of each and every month, to make out a monthly statement, giving a full and detailed account of all moneys received, from what sources and on what account received, and of all moneys ordered to be paid or drawn for by warrant by him, and on what account the same has been paid; and shall deliver said statement to the said city council at their next meeting, to be filed, after the adjournment of said council, by the city clerk with the papers belonging to his office.

39. There shall be elected by the qualified voters of the city of Richmond, in the same manner as is provided hereinbefore for the election of mayor of said city, at the first charter election, and every three years thereafter, one city treasurer, who shall hold his office for the term of four years, and until his successor be elected and qualified, unless sooner removed from office. He shall give bond, with sureties, to the amount of not less than one hundred thousand dollars; said bond to be approved by the city council, entered on their records, and filed in the city clerk's office.

40. The said treasurer shall receive all moneys belonging to the city, and shall keep his office in some place designated by the council. He shall have the custody of the corporate seal. He shall keep his books and accounts in such manner as the city council may prescribe, and such books and accounts shall always be subject to the inspection of the mayor and any member of the city council, or any committee or committees thereof. (1874, p. 230.)

41. No moneys shall be paid out by the treasurer except upon the warrant of the auditor, issued as hereinbefore provided, and he shall keep a separate account of each fund or appropriation, and the debits or credits belonging thereto.

42. All moneys to be paid into the treasury of the city, except the bills for gas and water, and such other assessments as the city council may so ordain, shall be paid by the person liable to pay the same, or his agent, to the treasurer, in the following manner: A warrant shall first be obtained from the auditor, directing the treasurer to receive the sum to be paid, specifying on what account the payment is to be made. Upon the payment of the money to the treasurer he shall give a receipt for the same, which shall be carried to the auditor, and his receipt therefor shall be the acquittance of the party making the payment. Bills for gas and water, and such other assessments as the city council may so ordain, shall be paid directly to the treasurer, who shall keep an account thereof, and make daily reports of such receipts to the auditor.

43. The treasurer shall, at the end of each and every month, and oftener if required, render an account to the auditor, showing the state of the treasury at the date of such account, and the balance of moneys in the treasury. He shall also, if required so to do by the auditor, accompany such account with a statement of all moneys received into the treasury, and on what account, with a list of all warrants redeemed and paid by him during the month.

44. The treasurer shall also report to the city council, at the end of each fiscal year, and oftener, if required, a full and detailed account of all receipts and expenditures during the preceding year, and the state of the treasury. He shall also keep a register of all warrants, their date, amount, number, the fund from which paid, and the person to whom paid, specifying also the time of payment; and all such warrants shall be examined, at the time of making such annual report to the city council, by a committee thereof, who shall examine and compare the same with the books of the auditor, and report discrepancies, if any, to the city council.

45. All moneys received on any special assessment shall be held by the treasurer as a special fund, to be applied to the payment for which

the assessment was made; and said money shall be used for no other purpose whatsoever.

46. The treasurer may be required to keep all moneys in his hands belonging to the city, in such place or places of deposits as the city council may by ordinance provide, order, establish, or direct. Such moneys shall be kept distinct and separate from his own moneys; and he is hereby expressly prohibited from using, either directly or indirectly, the corporation money, or warrants in his custody and keeping for his own use and benefit, or that of any person or persons whomsoever; and any violation of this provision shall subject him to immediate removal from office. In case of his removal, the city council shall elect a qualified person to fill said office until the next general election which may be held in the city, when the qualified voters of said city shall, as in other cases, fill such vacancy by an election of a successor, who shall hold his office for the remainder, if any, of the unexpired term of the officer removed. (1869-70, p. 453.)

47. There shall be elected by the qualified voters of the city of Richmond one collector of the city taxes, who shall hold his office for the period of two years, and until his successor shall be elected and qualify, unless sooner removed from office. He shall give bond, with sureties, to the amount of not less than fifty thousand dollars—said bond to be approved by the city council, entered on their records, and filed in the office of the city clerk. (1869-70, p. 453.)

48. Said collector shall collect all taxes and assessments which may be levied by said city, and perform such other duties as may be herein prescribed or ordained by the city council. He shall keep his office in such place as may be designated and prescribed by the city council, and shall keep in his said office, besides his collection and revenue warrants, such other books, vouchers, records, and accounts as the city council may direct and prescribe; all of which shall be subject to the inspection and examination of the mayor, the members of the city council, or any committee or committees thereof.

49. The said collector shall make report in writing, under oath, to the auditor, weekly, or oftener if required, the amount of all moneys collected by him, and shall pay the same into the city treasury in the manner hereinbefore provided. At the end of each fiscal year he shall submit to the city council a statement of all moneys by him collected during the year, and the particular warrant, assessment, or account upon which collected, and the balance of moneys uncollected on the warrants in his hands or returned to the auditor, and a copy of such statement shall also be filed with the auditor of said city.

50. The said collector is expressly prohibited from keeping the money of the city in his hands, or in the hands of any person or corporation to his use, beyond the time prescribed for the payment of the same into the city treasury, and any violation of this provision shall subject him to immediate removal from office. (1869-70, p. 453.)

51. It shall be the duty of the said collector, on the first Monday in July of the year eighteen hundred and eighty-six, and on the first Monday in February of each succeeding year, to turn over to the auditor of the city all bills, assessments, and accounts for all preceding years upon which there shall then remain unpaid any part of any tax or assessment due the city; and, thereupon, the said auditor shall turn over same to the officer of the city who shall be chosen by the city council, and known as the collector of delinquent taxes. The said collector of delinquent taxes shall hold his office for the period of two years, and until his successor shall be elected and qualify, unless sooner removed from office. He shall perform such duties, and receive such compensation, and give such bond as may be prescribed by the city council, the said bond not to be for a sum of less than five thousand dollars. It shall be the duty of said collector of delinquent taxes to conduct all the proceedings, and render all the service necessary, to perfect the sale and transfer of real estate in said city, where the same shall be sold or advertised for sale, for the non-payment of any tax or assessment imposed by the city council, as hereinafter provided. The said collector of delinquent taxes shall have the same power to collect, by the same means and processes, all bills, assessments, and accounts delivered to him as are also conferred by the said charter upon the collector of towns. (1885-6, p. 244.)

52. The said collector may, with the consent of the city council, appoint a deputy or deputies, who may be removed from office by the said collector, by the mayor, or by the city council. During the continuance in office of the said collector, a deputy of his may discharge any of the duties of the office of collector; but the collector and his sureties shall be liable therefor.

53. If the said collector shall receive any money for taxes or assessments, giving a receipt therefor, for any land or parcel of land, and afterwards sell the same, at any sale for taxes or assessments, for the tax or assessment which has been so paid and receipted for by himself or his deputy, he and his sureties shall be liable to the holder of the certificate given to the purchaser at the sale for double the amount on the face of the certificate, to be demanded within three years from the date of sale, and recovered in any court having jurisdiction of the amount; and the city shall in no case be liable to the holder of such certificate.

54. There shall be elected by the qualified voters of the city of Richmond one commissioner of the revenue, who shall hold his office for the period of two years, and until his successor shall be elected and qualify, unless sooner removed from office. He shall give bond, with sureties, to the amount of not less than five thousand dollars; said bond to be approved by the city council, entered on their record, and filed in the office of the city clerk. In case a vacancy shall occur in the office of commissioner of the revenue, the city council shall elect a qualified person to fill said office until the next general election which may be held in the city, when the vacancy shall be filled by election for the unexpired term. (1869-70, p. 454.)

55. The said commissioner of the revenue shall perform all the duties in relation to the assessment of property for the purpose of levying city taxes that may be ordered by the city council. He shall keep his office in such a place as may be designated and prescribed by the city council, and shall keep therein such books, schedules and records, and in such manner, as the mayor and city council may direct and prescribe; which books, records, and other papers shall be subject to the inspection and examination of the mayor, the members of the city council, or any committee or committees thereof, and of the collector of city taxes.

56. To aid the commissioner of the revenue in his duties, the clerks of the several courts of the city of Richmond and of the county of Henrico shall, as required respectively, deliver to him such lists as are mentioned in sections 459 and 460 of the Code of Virginia 1904 and acts amendatory thereof, as far as may relate to lands in said city.

57. As soon as said commissioner of the revenue shall have ascertained the value of all real and personal property taxable in said city, he shall make complete schedules of the same, and leave them in his office open to the inspection and examination of all persons interested therein; and he shall give notice by six days' publication in two of the daily newspapers of said city of the time and place, when and where such inspection and examination may be made. Said schedules shall be kept open for the period of ten days from the time of the first publication of such notice, so that any person feeling aggrieved by the assessment of his or her property may appear and make his or her objection. The said commissioner of the revenue shall hear and consider all objections which may be made, and shall have the power to alter, add to, take from, and otherwise correct and revise his assessment; and he shall have power to examine any person on oath as to the value of his personal property, and also to examine under oath such other persons as witnesses in relation thereto as he may deem proper, and for that purpose may administer oaths and issue process to compel the attendance of witnesses before

him. Any person feeling aggrieved at the decision of the said commissioner of the revenue may appeal to the city council, whose decision shall be final. Any person who shall refuse to make under oath a full disclosure of all the facts necessary to enable said commissioner of the revenue to make a fair and just assessment of his personal taxable property, when duly called upon by said commissioner of the revenue so to do, or to answer such questions as may be put to him in relation thereto, shall be assessed a gross sum, in the judgment of the commissioner of the revenue, double the correct assessment of his personal taxable property.

58. The said commissioner of the revenue may, with the consent of the city council, appoint an assistant or assistants, who may be removed from office by the said commissioner, by the mayor, or by the city council. During the continuance in office of the said commissioner, an assistant of his may discharge any of the duties of the office of commissioner; but the commissioner and his sureties shall be liable therefor.

59. The city council shall appoint a suitable and proper person, who shall be the attorney and counsel for the corporation, who shall hold his office for the term of two years unless sooner removed, and until his successor shall be appointed and qualify. He shall receive such compensation as the council may determine, to be paid by the city. Said attorney shall have the management, charge and control of all the law business of the corporate and the departments thereof, and of all the law business in which the city shall be interested; shall draw all leases, deeds, and legal papers for the same, and be the legal adviser of the mayor, city council, or any committee thereof, and of the several departments of said corporation; and when required, shall furnish written opinions upon any subjects involving questions of law submitted to him by them. He shall appear as counsel for the said corporation in any civil case in which it is interested, depending in any court in the city of Richmond; and when the constitutionality or validity of any ordinance is brought in issue in any penal prosecution, or when the mayor shall direct a prosecution for nuisance, he shall appear for the prosecution when the case shall come into court. He shall perform such other duties as are or may be required of him for the city by any ordinance or resolution of the city council. (1869-70, p. 454.)

60. He shall have power and authority, from time to time, during his continuance in office, with the consent of the mayor, to authorize an attorney or other person to appear for him in his name and on behalf of said corporation, and conduct and defend suits and proceedings in all courts and places.

61. Said attorney for the corporation shall keep his office in such place as the city council may direct, and shall keep therein a docket of all the cases to which the city may be a party in any court of record, in which shall be briefly entered all steps taken in such causes; and said docket shall at all times be open to the inspection of the mayor, the members of the city council, and the city auditor.

62. There shall be appointed by the city council one engineer for the city, who shall hold his office for the period of two years, and until his successor shall be appointed and qualify, unless sooner removed from office. He shall give bond, with sureties, to the amount of not less than five thousand dollars, said bond to be approved by the city council and filed in the office of the city clerk. (1869-70, p. 454.)

63. The said engineer shall have such assistants and clerks as the city council may allow and approve; but such assistants or clerks may be removed at any time by the mayor or by the city council.

64. The said engineer shall be the general superintendent of the streets, culverts, public buildings, and all public improvements. He shall make such surveys, reports, drawings, plans, specifications, and estimates, needed in any department of the city government, as the city council may require of him, and do, in relation thereto, whatever else they may direct concerning the same. All surveys or other acts, which may be made or done by said engineer, shall be as valid and effectual as if the same were done by a surveyor of a county, and the map or plan of the city, or a part thereof now on file in his office, made in pursuance of the charter of the city or other statute of the State, and approved by resolution of the council of June twenty-fourth, eighteen hundred and seventy-two, or copy of such map, shall be prima facie evidence in the courts of the Commonwealth of the boundaries and lines of the streets, alleys and other public places of the city shown thereon. He shall keep his office in such place as the city council may direct, and shall keep therein all maps, drawings, and papers pertaining to his office. He shall keep a record of all his proceedings, and a set of books, in which shall be entered, under appropriate heads, the receipts and expenditures of his department; and all the books and papers of his office shall be open at all times to the inspection of the mayor, to the members of the city council, or to any committee or committees thereof; provided, however, that the council may assign the powers and duties of said engineer as general superintendent of public buildings, or any of them, and the supervision and control of the same, to some other officer under such regulations as it may prescribe. (1908, p. 158.)

65. There shall be one city clerk appointed by the city council, who shall hold his office for the period of two years, and until his successor

shall be appointed and qualified, unless sooner removed from office by the city council.

66. The said city clerk shall attend the meetings of the common council, and keep a record of its proceedings. He shall keep all papers that by the provisions of this act, or by the direction of the city council, or either of its branches, are required to be kept or filed with him. It shall also be his duty to make and present to the mayor a transcript of every ordinance, resolution or order passed by both of the branches of the city council. He shall likewise transmit to the auditor a transcript of all ordinances, resolutions or orders appropriating money, or authorizing the payment of money, the issue of bonds or notes; and to the heads of all departments of the city government, all ordinances, resolutions or orders relating to their departments. He shall likewise give information to parties presenting communications or petitions to the city council of the final action of the council on such communications or petitions. He shall publish such reports and ordinances as the city council are required by this act to publish, and such other reports and ordinances as the said council may direct, and shall, in general, perform such other acts and duties as the city council, or either branch thereof, may from time to time require of him. (1874, p. 231.)

66a. As soon as practicable after the organization of the new council, on the first day of September, nineteen hundred and four, and as soon as practicable after the organization of each council elected for the city of Richmond every two years thereafter, the president of the board of aldermen shall appoint two members, and the president of the common council three members, from their respective bodies, who, together with five citizens (of whom two shall be appointed by the board of aldermen and three by the common council), and the president of the common council (who shall be chairman ex-officio), shall constitute a board, to be called the board of public interests of the city of Richmond. (1897-8, p. 305.)

66b. It shall be the duty of said board to take into consideration all works of internal improvements in existence, or which may be projected from time to time; to look after the commercial, industrial and manufacturing interests of the city; to watch over and take care of its connections, means of transportation and communication with the rest of the country, and to make such reports and recommendations to the city council as will in their opinion best subserve the different interests of the city of Richmond. (1887-8, p. 305.)

66c. There shall be a meeting of this board whenever called by the chairman on his own motion, when he deems a meeting necessary, or

whenever three members of the board, in writing, shall request him to call a meeting of the same. (1899-1900, p. 278.)

66d. In case of any vacancy in the board from any cause, it shall be filled by the board from the class in which the vacancy occurred. (1887-88, p. 305.)

66e. The board of public interests of said city, as existing by city ordinance January first, eighteen hundred and eighty-eight, shall be and remain as then organized until their successors are elected and qualified as provided by this act. (1887-88, p. 305.)

CHAPTER 5.

FINANCES.

67. The city council may, in the name and for the use of the city, contract loans or cause to be issued certificates of debt or bonds; but such loans, certificates or bonds shall not be irredeemable for a period greater than thirty-four years; provided, however, that they shall not contract such loans or issue such certificates of debt or bonds for the purpose of subscribing to the stock or appropriating money or loans for the benefit of any company incorporated for a work of internal improvement, or other purposes, without first being authorized so to do by three-fourths of the legal voters of the city voting on the question; and, also, by a majority of the registered freeholders of the city; and the council shall, when such debt or loan is created, provide a sinking fund for the payment of the same. Neither shall the city endorse the bonds of any such company, without the same authority; provided, however, that the said council may issue, or cause to be issued, bonds for other purposes than that for railroad or internal improvement companies, but the bonds or interest-bearing debt of the city of Richmond shall not, in the aggregate, exceed eighteen per centum of the assessed value of the taxable real estate of said city; and any excess of such bonded or interest-bearing debt over and above the limit herein prescribed, which may be created or issued in violation of this provision, shall be void as to said city; and provided, further, that the council, if authorized by a majority of the registered freeholders of the city, voting on a day to be fixed by the council, may purchase the property and franchises of the James River and Kanawha Company, or any part thereof, and issue bonds, contract loans, or cause to be issued certificates of debt or bonds to an amount sufficient to raise the money to pay for the same; and the amount of debt which may be

contracted for that purpose shall not be included in the said aggregate debt limited to eighteen per centum of the assessed value of the taxable real estate of the city. And in case such purchase shall be made of the entire property, rights and franchises which would pass on the foreclosure of any mortgage on the same, the city of Richmond shall not only succeed to the franchises, rights, and privileges provided for by the forty-fourth and forty-fifth sections of chapter sixty-one of the Code of eighteen hundred and seventy-three, and be regulated thereby, but shall, also, have the right to exercise all the franchises, rights, and privileges which may have been granted at the date of such purchase to any internal improvement company, with a view to the construction of a railroad along the lines of the James river and Kanawha canal to Clifton Forge and Lexington; and, in any organization which may follow such purchase, the city shall be at liberty to retain as her own such part of said property, rights, and franchises as she may deem advisable. (1872-3, p. 265; 1874, p. 231; 1874-5, p. 368; 1878-9, p. 92.)

68. There shall be set apart annually, from the accruing revenues of the city, a sum not less than one per centum of the city debt existing at the commencement of this act. The fund thus set apart shall be called a sinking fund, and shall be applied to the payment or purchase of the principal of the city debt. If no part be redeemable, then the residue of the sinking fund shall be invested in the bonds or certificates of debt of the city, and applied to the payment of the city debt as it shall become redeemable. Whenever hereafter there shall be contracted by the city any debt not payable within the next twelve months, there shall be set apart annually for thirty-four years, or until the debt is paid, a sum exceeding by one per centum the aggregate amount of the annual interest agreed to be paid thereon at the time of the contract, which sum shall be applied and invested towards the payment of such debt in the same manner as hereinbefore provided for the present existing debt of the city. The committee, board, or city officials, having charge of the sinking fund under the authority of the city council, may invest the funds of the sinking fund not only in bonds of the city, but also in those issued by the State of Virginia or by the United States. Such committee, board or city officials shall make to the city council quarterly detailed statements of all the transactions of the board setting forth the amount and character of their assets, investments, transfers, issues, exchanges or other business of whatever character, including a statement of what, if any, be due by the city. The purchases made of the city bonds may be made directly from the city. (1869-70, p. 455; 1897-8, p. 544.)

69. For the execution of its powers and duties, the city council may raise, annually, by taxes and assessments in said city, such sums of money

as they shall deem necessary to defray the expenses of the same, and in such manner as they shall deem expedient, in accordance with the laws of this State and the United States; provided, however, that they shall impose no tax on the bonds of said city, nor on any capital invested in real estate or employed in manufacture outside the city limits, although the person or persons engaged in said business or manufacture have a place of business in said city. Neither shall they impose any tax at the same time upon the stock of the corporation, and upon the dividends thereon; nor upon any capital, interest, income, or dividends when a license or other tax is imposed upon the business in which the capital is employed, or upon the principal money, credit or stock from which the interest, income or dividend is derived. Said taxes shall be equal and uniform upon all property, both real and personal. The capital invested in all business operations shall be assessed and taxed as other property. Assessments upon all stock shall be according to the market value thereof.

70. The city council may grant or refuse licenses, and may require taxes to be paid on such licenses, to agents of insurance companies whose principal office is not located in said city; to auctioneers; to public, theatrical, or other performances or shows; to keepers of billiard tables, ten-pin alleys, and pistol galleries; to hawkers and peddlers in the city, or persons to sell goods by sample therein; to agents for the sale or renting of real estate; to commission merchants, and all other business which cannot be reached by the ad valorem system under the preceding section. They may also grant or refuse such license to all sellers of wine or spirituous or fermented liquors, and require taxes to be paid on such license, in addition to other taxes imposed.

71. The council may grant or refuse licenses to owners or keepers of wagons, drays, carts, hacks, and other wheeled carriages kept or employed in the city for hire, and may require the owners or keepers of wagons, drays, and carts, using them in the city, to take out a license therefor, and may require taxes to be paid thereon, and subject the same to such regulations as they may deem proper, and prescribe their fees and compensation.

72. The council may vest in the collector of the city taxes, and of assessments for the use of water, gas, or other purposes, any or all of the powers which are now or may hereafter be vested in a sheriff as collector of the State taxes; may prescribe the mode of his proceeding, and the mode of proceeding against him for the failure to perform his duties.

73. All goods and chattels, wheresoever found, may be distrained and sold for taxes assessed and due thereon; and no deed of trust or mortgage upon goods or chattels shall prevent the same from being distrained and sold for taxes assessed against the grantor in such deed while

such goods and chattels remain in the grantor's possession; nor shall any such deed prevent the goods and chattels conveyed from being distrained and sold for taxes assessed thereon, no matter in whose possession they may be found.

74. Any payment of taxes made by the tenant, unless under an express contract contained in his lease, shall be a credit against the person to whom he owes the rent, and where any tax is paid by a fiduciary on the interest or profit of moneys of an estate invested under an order of the court or otherwise, the tax shall be refunded out of such estate.

75. There shall be a lien on all real estate and on each and every interest therein for the city taxes assessed thereon from the commencement of the year for which they are assessed. The city council may require such real estate in the city, delinquent for the non-payment of taxes, to be sold for said taxes, with interest at the rate of six per centum per annum, and such percentage as they may prescribe for charges. Such real estate shall be sold and may be redeemed under the provisions hereinafter made. (1899-1900, p. 944.)

76. The collector of delinquent taxes shall, under the direction of the city council, cause a notice of the time and place of such sale to be published in at least two daily newspapers, published in said city, at least ten days previous to such sale; and he shall also cause to be published in one or more of said daily newspapers on some day, not more than twenty days or less than ten days previous to such sale, a list of the several parcels of real estate so to be sold in the same manner as the same is described in the assessment rolls in which the said tax or assessment is imposed thereon, together with the name of the persons to whom each parcel is assessed, and the amount of the tax or assessment thereon. (1899-1900, p. 945.)

77. If such tax or assessment, and the percentage, interest and expenses aforesaid be not paid previous to the day for which said sale was advertised, or on some day immediately thereafter, to which said sale may be adjourned, the collector of delinquent taxes shall proceed to make sale accordingly of the said several parcels of real estate, or so much thereof as may be necessary, to the highest bidder; and the sale may be adjourned from day to day until it shall be completed. On such sale the collector of delinquent taxes shall execute to the purchaser a certificate of sale, in which the property purchased shall be described, and the aggregate amount of the tax or assessment, with charges and expenses specified; but the collector of delinquent taxes shall not for himself, either directly or indirectly, purchase any real estate so sold. (1885-6, p. 244.)

78. If at any such sale no bid shall be made for any such parcel of land, or such bid shall not be equal to the tax or assessment, with interest and charges, then the same shall be struck off to the city. As soon as practicable after the completion of such sales, the collector of delinquent taxes shall make out a list of all sales made to the city, in which the property purchased shall be described, and the aggregate amount of tax or assessment with charges and expenses specified, and shall deposit the same with the auditor of the city. (1899-1900, p. 945.)

79. The owner of any real estate so sold, his heirs or assigns, or any person having a right to charge such real estate for a debt, or any person having interest in said real estate by way of reversion, remainder or otherwise, may redeem the same by paying to the purchaser, his heirs or assigns, within two years from the sale thereof, the amount for which the same was sold, and such additional taxes thereon as may have been paid by the purchaser, his heirs or assigns, with interest on the purchase money and taxes at the rate of eight per centum per annum from the time the same may have been paid, or, if purchased by the city, with such additional sums as would have accrued for taxes thereon, if the same had not been purchased for the city, with interest on the said purchase money and taxes at the rate of eight per centum per annum from the time that the same may have been so paid, or the same may be paid within the said two years to the city treasurer in any case in which the purchaser, his heirs, or assigns, may refuse to receive the same, or may not reside or cannot be found in the city of Richmond. (1899-1900, p. 945.)

80. Any infant, married woman, insane person, or person imprisoned, whose real estate may have been so sold, or his heirs, may redeem the same by paying to the purchaser, his heirs or assigns, within two years after the removal of the disability, the amount for which the same was so sold, with the necessary charges incurred by the purchaser, his heirs or assigns, in obtaining the title under the sale, and such additional taxes on the estate as may have been paid by the purchaser, his heirs or assigns, and the appraised value of any improvement that may have been made thereon, with interest on the said items at the rate of eight per centum per annum, from the time the same may have been paid. Upon such payment within two years after the removal of such disability the purchaser, his heirs or assigns, shall at the cost of the original owner, his heirs or assigns, convey to him or them, by deed with special warranty, the real estate sold. (1889-1900, p. 945.)

81. The purchaser of any real estate, sold for taxes and not redeemed, shall, after the expiration of two years from the sale, obtain from the city auditor a deed conveying the same, wherein shall be set forth what appears in his office in relation to the sale. When the purchaser has

assigned the benefit of his purchase, the deed may, with his assent, evidenced by his joining therein, or by a writing annexed thereto, be executed to his assignee. If the purchaser shall have died, his heirs or assigns may move the court of hustings of said city to order the auditor to execute a deed to such heirs or assigns.

82. When the purchaser of any real estate, sold for taxes, his heirs or assigns, shall have obtained a deed therefor, and within sixty days from the date of such deed shall have caused the same to be recorded, such estate shall stand vested in the grantee in such deed as was vested in the party assessed with the taxes (on account whereof the sale was made), at the commencement of the year for which the said taxes were assessed; subject to be defeated only by proof that the taxes for which said real estate was sold, were not chargeable thereon, or that the taxes properly chargeable on such real estate have been paid. And if it be alleged that the taxes, for the non-payment of which sale was made, were not in arrears, the party making such allegation must establish the truth thereof by proving that the taxes were paid; but nothing in this section shall be construed to affect or impair the lien of the city on the real estate and on each and every interest therein, or affect, limit, or impair the right of the city, when it becomes a purchaser of real estate under the next succeeding section. (1899-1900, p. 946.)

83. In case that any real estate, struck off to the city as hereinbefore provided, shall not be redeemed within the time specified, the city auditor shall, within sixty days after the expiration of two years from the sale, cause to be recorded in the clerk's office of the chancery court a certificate of sale with his oath that the same has not been redeemed, and thereupon the said corporation, or its assignees, shall acquire an absolute title in fee to such real estate and every interest therein, for life, in reversion, in remainder and otherwise, subject to be defeated only by proof that the taxes for which said real estate was sold were not properly chargeable thereon, or that the taxes properly chargeable thereon had been paid at the time of the execution of such certificate. The said certificate shall be recorded in the said clerk's office in a record book, known as "deed book, recording conveyances to city, of lands sold for delinquent taxes," for recording which certificate the clerk shall be entitled to a fee of ten cents, payable out of the city treasury. The city council may impose penalties upon its officers for their failure to comply with the requirements of this section. The said certificate, or the record thereof, or a certified copy thereof, shall, in all courts and other places, be evidence of the facts therein stated; provided, however, that the failure to obtain or record such certificate shall not invalidate the lien of the city for all taxes assessed against such real estate, but the city may, at any

time, elect to enforce its lien for taxes in a court of equity and release its right as purchaser, or to become a purchaser, of such real estate. (1899-1900, p. 946.)

CHAPTER 6.

POLICE AND FIRE DEPARTMENTS.

84. The police department of the city of Richmond shall be under the control and management of a board of police commissioners thereof, which shall consist of the mayor and one commissioner from each ward of the city, each commissioner to be a resident of his respective ward, a majority of whom shall constitute a quorum. The mayor shall be ex-officio president of the board, and shall preside at its meetings, and shall have a vote in case of a tie. In his absence the other members may elect a president pro tempore. Each of said commissioners shall hold office for a term of six years from the date of his election; provided, that the term of one commissioner shall expire each year, according to the present plan, so that the terms of no two said commissioners shall expire in the same year, except that in case the number of commissioners shall exceed six, then in that event the terms of as many as two commissioners may expire in the same year. But it is expressly provided that the sequence of the expiration of the terms of said commissioners from the wards established prior to the twenty-seventh day of February, nineteen hundred and two, shall not be changed; and the terms of commissioners elected from wards established, or which may be established, subsequent to the twenty-sixth day of February, nineteen hundred and two, shall expire one after another, in successive years, in accordance with the intention of the present plan. As the terms of the commissioners shall expire the vacancies in the board thus created by this act, or by any act of the general assembly heretofore or hereafter passed, shall be filled by election in the month of July of each year by the two branches of the city council in joint session. But no person shall be elected who does not receive a majority in each branch of the council of all the members elected to such branch. The said board shall adopt rules and regulations for the government thereof; it may establish, promulgate, and enforce rules, regulations and orders for the government of the police force; it may divide the city into such police districts as it may deem proper for the best management of the police force, and the prevention and detection of crime, and may alter and change the same from time to time;

it shall have authority to investigate all matters pertaining to the police department, and for that purpose to send for persons and papers, and by the presiding officer to administer oaths to witnesses.

The members of said board may be removed for good cause at any time by a vote of two-thirds of the members elected to the council. If any member of the board shall remove from the ward in which he lived when elected to said board, cease to be a voter, or be a candidate for any office, Federal, State, or municipal, it shall ipso facto vacate his seat in said board; and when any member of the said board is named as an applicant or candidate, or as proper to be supported as a candidate for any office, or proper person to receive such office, the president shall, or any member of the board may notify him that his name is mentioned in connection with such office, and if said member does not, within ten days after the receipt of such notice, file with the president of the board his statement in writing that he is neither candidate nor applicant for such office, that he will not serve nor accept if elected or appointed, the said board will declare his place vacant, which will be filled in the manner hereinbefore prescribed. When vacancies are filled for any cause other than the expiration of a term, they shall be filled by the council only for the unexpired term. (1902-3-4, p. 754.)

85. The said commissioners, after taking the oath of office as such commissioners, shall meet at the office of the mayor, or other suitable place, at such time as may be expedient, and as they shall, from time to time, designate, and on special occasions as the mayor may, in writing, appoint. They shall perform the duties of said office without any compensation, reward, or salary therefor from said city, except that nothing herein shall in any way conflict with the payment of the salary elsewhere provided to be paid to the said mayor for his services in his office, and except that the members of the board shall be exempt from all duties on juries.

86. Members of the police force of the city shall be elected by the board of police commissioners. The said force shall consist of as many members as the city council may by ordinance prescribe, but shall not be reduced below one hundred and one men, and the board of commissioners shall have full power and authority to elect a chief of police and such other officers as it shall deem necessary for the proper discipline and management of the force for such term, not exceeding three years, as it may designate. The said board shall elect a surgeon of police, whose term of office shall not exceed three years. The compensation for his services shall be paid out of a fund in the hands of the chief of police, said fund to be raised by levying a tax, not exceeding one dollar per month, upon each member of the police force; but in no event shall the

city be liable for the said compensation or any part thereof. All elections to the force shall be for three years except those to fill vacancies not caused by the expiration of a term, which shall be for the unexpired term only. The chief of police shall be responsible to the board of commissioners for the discipline and efficiency of the police force. All orders shall pass through him except so far as the rules, regulations or orders of the board of police commissioners authorize orders to be given direct to any subordinate on the police force. Any officer or member of the force may be fined by the board of police commissioners for good cause shown, such fine to be deducted from his pay, or he may be removed or suspended from the force or reduced in rank, when the same shall be, in the judgment of the board, for the good of the service. (1902-3-4, p. 756.)

87. In time of exigency said commissioners, or a majority of them, or any one of them, if the others should be absent from the city or unable to act, may appoint temporarily without authority from the city council a suitable number of additional policemen for such time as shall appear necessary, not, however, to extend beyond the next meeting of the city council. The mayor may confer police powers upon the clerks of the markets and their deputies, keepers of parks and cemeteries and their subordinates, watchmen and custodians of the city reservoirs, and janitor or superintendent of the city hall and his subordinates, and such other officers or employees and their subordinates, of the city as shall have custody of any other piece or part of the city's property so as to authorize them to prevent any violation of any law or city ordinance, within or upon such pieces or parts of the city property as may be under their charge or custody, and to prevent any injury or damage from being done to such pieces or parts of the city property; and the bailiff of the police court shall have police powers when acting under the orders of the police justice of the city. (1878-9, p. 365; 1891-2, p. 660; 1895-6, p. 482.)

88. The mayor, at any time, upon charges being preferred or upon finding said chief or any other member of said police force guilty of misconduct, shall have power to suspend such member from service, until the board of commissioners shall convene and take action in the matter; provided, however, that such member shall not remain so suspended for a longer period than thirty days without an opportunity of being heard in his defence, and upon hearing the proofs in the case, a majority of said commissioners may discharge, suspend, or fine, or restore such chief or member, in accordance with the decision of the majority of such board thereon; and the pay or salary of such member shall cease from the time of suspension to the time of restoration to service, unless otherwise

ordered by said board of commissioners in their written decision, which shall be filed with the city clerk; and any violation of the rules, regulations, or orders of the board or orders of any superior, shall be good cause for dismissal, suspension, or fine. (1878-9, p. 365.)

89. The salary or pay of the officers and members of the police force shall be such as may be prescribed by the city council. It shall be the duty of the board of police commissioners, once in each year and oftener if deemed necessary, to submit to the city council, in writing, a detailed estimate of what funds will be needed for the proper maintenance and growth of the police department, and to request the council to make appropriation accordingly. It shall be the duty of the city council to appropriate such sums of money as the said council shall deem sufficient for the proper maintenance of the police department for pay-rolls, expense, equipment and construction.

The said board of police commissioners are authorized and empowered to draw warrants on the auditor of the city to pay claims against the police department, after the same shall have been approved by the board in session, each warrant to be accompanied by an itemized bill for which it is drawn, and to be signed by the president of said board, or the president pro tempore. (1902-3-4, p. 756.)

90. The said chief of police, and every policeman duly appointed as aforesaid, shall have issued to him a warrant of appointment, signed by the president of the board and countersigned by the city clerk, stating the date of his appointment, which shall be his commission; and he shall take such oath as the city council may ordain, and subscribe the same in a book to be kept for that purpose by the said city clerk. (1878-9, p. 366.)

91. The said chief of police and policemen shall generally have power to do whatever may be necessary to preserve the good order and peace of said city, and to secure its inhabitants from personal violence and their property from loss and injury. Such members of the said police force as the police commissioners may designate, shall, in criminal cases, have the same powers and duties, and be subject to the same penalties that are prescribed by law as to constables. All fees and allowances arising from the exercise of such powers shall be collected by the chief of police, and held subject to the order of the board of police commissioners. (1878-9, p. 366.)

91a. That the jurisdiction and authority of the chief of police of the city of Richmond and other officers and members of the said city police, and of the justices and other judicial officers of said city connected with the administration of its police, be, and the same is hereby, extended to and over the grounds and the property of the Virginia State Agricultural

and Mechanical Society, situated on the extension of Broad street of said city, and to and over the highways and grounds in Henrico county adjacent thereto, not to exceed five hundred yards in any direction; and on the request or with the assent of said Virginia State Agricultural and Mechanical Society, its officers or agents, the said police and other authorities of said city shall have and exercise the full and like powers in all respects in and over said extended district as they do now or may hereafter have and exercise within the corporate limits of said city. (1891-2, p. 905.)

92. The said board of commissioners may prescribe such uniform and badges for the police force as they may deem proper, and change the same after six months' notice and direct in what manner they shall be armed. And if any person, other than a policeman, shall publicly wear such uniform and badges as may be prescribed as aforesaid, he may be subjected to such fine not exceeding the sum of one hundred dollars, as the city council may advise. (1878-9, p. 366.)

93. The fire and fire alarm departments of the city of Richmond shall be under the direction and control of a board composed of citizens, in numbers corresponding to the number of wards in the city, voters in said city, of whom one shall be elected from each ward, and to be a resident thereof, such board to be called the board of fire commissioners of the city of Richmond. Each of said commissioners shall hold office for a term of six years from the date of his election; provided, that the term of one of said commissioners shall expire each year, according to the intent of sub-division two of this section, so that the terms of no two of said commissioners shall expire in the same year, however, in case the number of commissioners shall exceed six, then, and in that event, the terms of as many as two commissioners may expire in the same year. But it is expressly provided that the sequence of the expiration of the terms of said commissioners from the wards established prior to the twenty-seventh day of February, nineteen hundred and two, shall not be changed; and the terms of commissioners elected from wards established, or which may be established, subsequent to the twenty-sixth day of February, nineteen hundred and two, shall expire one after another in successive years, so that the intention of sub-division two of this section may be carried out. As the terms of the commissioners shall expire the vacancies in the board thus created, or created by this act, or by any act of the general assembly heretofore or hereafter passed, shall be filled by election in the month of July of each year by the two branches of the city council in joint session. But no person shall be elected who does not receive a majority in each branch of the council of all the members elected to such branch. But in event of any resolution or ordinance of the council, or

act of the general assembly of Virginia, heretofore or hereafter passed, changing the boundaries of any ward, or establishing any new ward out of the territory of another ward, by reason of which any one of said commissioners who may have been elected from one ward and he may, as a result of such change, become a resident of some other ward before the term for which he shall have been elected shall have expired, then, in that event, such commissioner shall continue in office to the end of the full term for which he shall have been elected, as if he were a duly elected member from the new ward of which he may become a resident, by reason of such change. All vacancies, except those occurring from expiration of term, shall be filled by the council for the unexpired term. (1901-2, p. 160.)

93a. The members of the first board of fire commissioners elected under this act shall hold their offices for one, two, three, four, five and six years respectively, from the first day of July, eighteen hundred and eighty-eight, and until their successors are elected and qualified in the month of July, eighteen hundred and eighty-nine, and in July in each succeeding year thereafter one member of said board of fire commissioners shall be elected in the same manner as above provided, to fill the vacancy which will then be caused by the expiration of the term of one member. All members thus elected to fill a vacancy caused by the expiration of the term of a member, shall be elected for a term of six years from the time of said expiration. The members of the board of fire commissioners shall not receive any compensation for their services as such. They may be removed from office by a vote of two-thirds of all the members elected to the council for good cause shown; and any member who shall during his term of office be nominated for any office elected by the people, and shall not decline the said nomination ten days from the time he has notice thereof, shall be deemed ipso facto to have vacated his office.

93b. The members of the board of fire commissioners shall meet on the second day of July, eighteen hundred and eighty-eight, at the headquarters of the fire department, or other suitable place, and after taking the oath of office, proceed to organize by electing one of their number president, and by electing a secretary. They shall then proceed to draw lots, and by numbers, for the term of office that each shall serve—that is to say, the member drawing the lowest number shall serve one year; the one drawing next lowest number, two years; and so on until each member shall have designated his term by the number drawn by him. Four members of the board shall constitute a quorum for the transaction of business. Each member of the board shall be entitled to one vote, and the board may determine the manner in which any vote may be taken on any subject brought before it. The said board shall have power to elect

a president *pro tempore*, to serve in the absence, or in case of the temporary disability of the president.

93c. The force of the fire department of the city of Richmond shall be appointed by said board of fire commissioners as herein provided. The said force shall consist of a chief engineer, one or more assistant engineers, and a secretary, and as many foremen, stationmen, hosemen and laddermen as from time to time may be required, in the opinion of the said board, except that the total number of the force shall not be increased, without the consent of the city council, above its present number. The chief engineer, assistant engineers, secretary and other members of the department shall be appointed for a period of three years. The said officers and members of the fire department may be removed by the said board for cause at any time, or such fines or suspensions may be imposed for cause, as the board may deem proper, as hereinafter provided. In any investigation pertaining to duties the board shall have power to send for persons and papers, and by their presiding officer administer an oath. The board of fire commissioners are hereby empowered to prescribe the duties of the chief engineer, assistant engineers, secretary, as well as of other members or employees of the fire department, assigning to them such duties in the department as the board shall deem proper. (1897-8, p. 545.)

93d. The board of fire commissioners shall have and exercise fully and exclusively all powers necessary for the government, management, maintenance, and direction of the fire and fire-alarm departments of the city, and the premises and property thereof. All real estate, fire apparatus, hose, implements, bells and bell-towers, fire telegraph, and all property of whatever nature in use by the firemen, or fire and fire-alarm departments of the city belonging to said city, shall be under the control of the fire commissioners, and for the use of said departments, but the said property shall remain the property of the city of Richmond, subject to the public uses of said departments as aforesaid, and for the purposes provided by this act. The said board shall, subject to the other provisions of this act, have full power to provide supplies, horses, tools, implements, and apparatus of any and all kinds incident to or to be used in the control, prevention, and extinguishment of fires, and for fire-telegraph purposes; food and provender for horses of said departments; and to buy, sell, construct, repair, and have the care of the same, and to take any and all such action in the premises as it may deem to be reasonable, necessary and proper. The said board may, with the approval of the city council, increase the number of companies in service as from time to time they may deem necessary.

93e. The said board of fire commissioners shall have exclusive right and power, from time to time, to designate and fix the location of all fire-alarms, telegraph, signal and alarm stations in the city, and shall have access to and the control of the same for the purpose of the departments.

93f. The said board of fire commissioners shall, subject to the other provisions of this act, provide such offices and business accommodations as may be requisite for the transaction of the business of the departments. The board of fire commissioners may adopt a common seal and direct its use.

93g. The city attorney shall be the attorney for the board of fire commissioners, and shall perform such duties, connected with the departments under their control, as are prescribed herein or as may be properly required of him by the board of fire commissioners.

93h. It shall be the duty of said board of fire commissioners to make such suitable regulations for the government of the officers, men and property of the fire and fire-alarm departments of said city as it may deem necessary and proper for the control and management of the same.

93i. No person holding office by appointment of the board of fire commissioners shall be liable to military or jury duty nor to arrest on civil process while in the actual performance of duty in answer to an alarm of fire.

93j. Every member of the departments herein named shall take an oath for the faithful performance of his duties, and subscribe the same before a member of the board of fire commissioners.

93k. The board shall have power, in its discretion, on conviction of a member of the force of any offence against its rules or neglect of duty, or neglect or disobedience of orders, or incapacity or absence without leave, or immoral conduct, or conduct unbecoming an officer, or other breach of discipline, to punish the offending party by reprimand, forfeiture, and withholding of pay for a specific time, or by dismissal from the force.

93l. The said board shall fix the salaries and compensation of the officers and members of the fire department, but the aggregate of such salaries and compensation shall not be reduced below the sum appropriated by the city council annually for pay-rolls of the said departments at the date of the passage of this act, and they may be increased only by the city council after recommendations of the said board.

93m. The said board of fire commissioners shall appoint a superintendent of fire-alarms, and such other employees as the proper working of the fire-alarm departments may require, and shall fix their compensation; such compensation to be not less than that paid such employees

at the date of the passage of this act, and may be increased only by the council after recommendation of said board of fire commissioners.

93n. It shall be the duty of the board of fire commissioners once in each year, and oftener if necessary, to submit to the city council, in writing, a classified estimate of what funds will be needed for the proper maintenance and growth of the fire and fire-alarm departments, and to request the council to make appropriations accordingly. It shall be the duty of the city council to appropriate annually, upon the recommendation of the board of fire commissioners, such sums of money as said council shall deem sufficient for the proper maintenance of both fire and fire-alarm departments, for pay-rolls, expense, equipment and construction; provided such appropriations shall not be reduced below the sums appropriated to the said fire and fire-alarm departments for the fiscal year eighteen hundred and eighty-seven-eighty-eight. The said board of fire commissioners are authorized and empowered to draw warrants on the auditor of the city to pay claims against said departments, said warrants to be signed by the president of the board or by a president pro tempore, to be appointed by the said board as hereinbefore provided, after the same shall have been approved by the board in regular session.

93o. It is hereby declared to be unlawful for the board of fire commissioners, or any member thereof, to be personally interested in any contract, purchases, or sales made for the department under their control; or in any way, directly or indirectly, to receive compensation or profit arising from the performance of the duties of their office, and any member of said board who shall be found guilty thereof shall be punished by a fine not exceeding one thousand dollars or confinement in the city jail not exceeding six months.

93p. The said board shall keep, in a book to be prepared by them for the purpose, a detailed account of their expenditures, and shall report said expenditures to the city council at its first meeting in the months of January and July of each year, and they shall be at all times prepared to substantiate such expenditures by proper papers and vouchers. They shall also report to the city council at its first meeting in January in each year the condition of the departments under their control, with all information germane thereto and not prejudicial to the service.

93q. Nothing in this act shall be construed to interfere in any manner with any contract or agreement that may exist at the date of the passage of this act between the city of Richmond and any railway, telephone or telegraph company in reference to the occupancy of the streets by telegraph or telephone wires.

93r. The fire and fire-alarm departments of the city of Richmond shall remain as at present organized, until July the second, eighteen hun-

dred and eighty-eight, at which time the said board of fire commissioners shall proceed to organize the said departments as herein described, and to assume all the powers and duties conferred upon them by this act.

94. For the purpose of guarding against the calamities of fire, the city council may, from time to time, designate such portions and parts of the said city as it shall think proper within which no buildings of wood shall be erected. They may prohibit the erection of wooden buildings in any portion of the city without permission obtained from them. They may authorize the board of fire commissioners, and the chief of the fire department to permit the erection of wooden buildings in any portion of the city, except such as the council may have designated as portions within which no buildings of wood shall be erected: provided, however, that no building of wood or addition to such a building shall be erected in any square of the city, when and after the owner or owners of at least one-fourth of the ground included therein shall have petitioned the council by a petition filed with the city clerk to prohibit the erection in the said square of buildings of wood unless the outer walls of the building to be erected shall be made of brick and mortar, or stone and mortar or some other fire-proof material, and may provide for the removal of any such building or addition which shall be erected contrary to such prohibition, at the expense of the builder or owner thereof, and if any building shall have been commenced before said petition can be acted on by the council, or if a building in progress appears clearly to be unsafe, the council may have such building taken down. For the purpose of guarding against fire and of insuring the erection of safe buildings, the council may pass any reasonable regulation as to the manner and materials of construction of all buildings. (1891-2, p. 660; 1897-8, p. 545.)

95. Whenever any building in the said city shall be on fire, it shall be the duty of and be lawful for the chief engineer to order and direct such building, or any other building which he may deem hazardous and likely to communicate fire to other buildings, or any part of such buildings, to be pulled down and destroyed; and no action shall be maintained against any person or against the said city therefor. But any person interested in any such building so destroyed or injured, may, within three months thereafter, apply to the city council to assess and pay the damages he has sustained. At the expiration of the three months, if any such application shall have been made in writing, the city council shall either pay the said claimant such sum as shall be agreed upon by them and the said claimant for such damages, or if no such agreement shall be affected, shall proceed to ascertain the amount of such damages, and shall provide for the appraisal, assessment, collection and payment of the same in

the same manner as is provided for the ascertainment, assessment, collection, and payment of damages sustained by the taking of land for purposes of public improvement.

96. The commissioners appointed to appraise and assess the damages incurred by the said claimant, by the pulling down or destruction of such building, or any part thereof, by the direction of the said officers of the city, as above provided, shall take into account the probability of the same having been destroyed or injured by fire if it had not been so pulled down or destroyed, and may report that no damages should equitably be allowed to such claimant. Whenever a report shall be made and finally confirmed, in the said proceedings for appraising and assessing the damages, a compliance with the terms thereof by the city council shall be deemed a full satisfaction of all said damages of the said claimant. But any party feeling aggrieved thereby, may appeal to the circuit court of the city of Richmond, which court in taking jurisdiction thereof, shall be controlled by the laws regulating assessment of damages to real estate in other cases.

CHAPTER 7.

THE JUDICIARY.

97. There shall be elected by the qualified voters of said city, at the first charter election, and every eight years thereafter, one clerk for the circuit court, one clerk for the hustings court, and one clerk for the chancery court of the city of Richmond, who shall serve for the period of eight years, and until their successors be elected and qualify. They shall receive, in compensation for their services, the fees and emolument allowed by law to clerks of the circuit courts.

98. There shall be elected at the first charter election, and every two years thereafter, by the qualified voters of said city, one Commonwealth's attorney for the circuit court, who shall also prosecute in all cases in the hustings court of the city of Richmond. He shall hold his office for a term of two years, and until his successor be elected and qualify, unless sooner removed, and shall receive such compensation for his services as may be prescribed by law.

99. There shall be elected at the first charter election, and every two years thereafter, by the qualified voters of said city, one sheriff of the city of Richmond, who shall before entering upon the duties of his office, give bond, with good security, in a penalty of not less than one hundred

thousand dollars nor more than three hundred thousand dollars, as shall be required by the judge before whom he shall execute the same, whose power and duties, liability, responsibility, emoluments, and term of office shall be, so far as not inconsistent with the provisions of this act, the same as now provided by law in respect to the sheriff of the city of Richmond.

100. There shall be elected at the first charter election, and every two years thereafter by the qualified voters of the said city, one city sergeant, who shall serve for four years until his successor be elected and qualify, unless sooner removed. He shall keep his office in such a place as the city council may provide and appoint, and shall receive such compensation for his services as the city council shall determine. He shall, as city jailer, pay the salaries of all the deputies or guards needed and appointed for the safekeeping of the prisoners in the city jail, and the city shall nowise be responsible therefor, except guards appointed by the court when the same are necessary on account of the insecurity of the jail. Before entering upon the duties of his office the said city sergeant shall give bond and security in such amount as the city council shall determine, which bond shall be approved by the said city council, entered on their records and filed in the office of the city clerk. (1897-8, p. 546.)

101. The said sergeant shall attend the terms of the court of hustings, and act as the officer thereof. He shall also in all respects, except as to the collection of taxes, have the same powers and authority, and shall perform the duties, and be subjected to the same liabilities and penalties, and be proceeded against in the same manner as sheriffs.

102. There shall be elected by the qualified voters of the city of Richmond, at the first charter election, one high constable for said city, who shall hold his office for the term of four years, and until his successor be appointed and qualify, unless sooner removed from office. Said high constable shall keep his office in such convenient place in the city as may be designated by the city council, and shall receive such compensation for his services as the said council shall determine. He shall in civil cases have the same powers and duties and be subject to the same penalties as prescribed by law to other constables, and shall perform such duties as the city council may ordain, not in conflict with the provisions of this act, the laws of this State, or the laws of the United States. (1874, p. 232.)

103. Before entering upon the duties of his office, the said high constable shall give bond and security, in such amount as shall be required by the city council, for the faithful discharge of the duties of his office; which bond shall be approved by the said council, entered on their record, and filed in the office of the city clerk. Said high constable may

appoint one or more deputies to attend to and execute the duties of his office; but the sureties on the bond of the high constable shall be equally liable for the acts of the deputy or deputies as for those of their principal.

104. The sergeant of the city of Richmond shall be the officer of the hustings court, and the sheriff of the city of Richmond shall be the officer of the circuit court, and also of the chancery court.

105. There shall be appointed by the city council one police justice, who shall hold his office for the term of four years, and until his successor shall be elected and qualified, unless sooner removed from office. The police justice shall hold a court daily in said city (Sunday excepted), in such place as the city council may provide and appoint. The jurisdiction of the court shall extend to all cases arising within the jurisdictional limits of the city, of which a justice of the peace may take cognizance under the laws of the State, and to all cases arising under the charter or ordinances of the city, or where there is a claim against the city or a person therein, if it does not exceed one hundred dollars, exclusive of interest; and the judgment shall be final in all civil cases, where the matter in controversy, exclusive of costs, is not more than twenty dollars. He shall have such other powers and jurisdiction as may be conferred upon him by the city council, not in conflict with the Constitution and laws of the United States and of the State of Virginia. The city council may provide for the appointment of such clerks and officers for said court of the police justice, and make such rules for the government of said court as they may find proper. If any person who has been duly summoned as a witness to attend and give evidence before the police justice, touching any matter or thing under the charter or any ordinance of the city, shall fail to attend in obedience to said summons, he or she shall be fined, at the discretion of the said justice, in a sum not exceeding twenty dollars.

106. There shall be elected by the qualified voters of each ward three justices of the peace for each ward of the said city, who shall be residents of their respective wards, and shall hold office for the term of two years, and until their successors be elected and qualify, unless sooner removed from office. They shall be designated by the city council as first, second, third, et cetera, justices. The said justices of the peace shall be conservators of the peace within the limits of the corporation of Richmond, and shall have the same powers and duties within said limits as are provided by law in respect to justices of the peace in the counties of this State in their respective counties, except that nothing herein contained shall be construed as vesting in said justices any portion of the jurisdiction given by act to the police justice. Whenever the police justice shall

be absent from the city, or unable, from any cause, to hold his court, the same shall be holden by a justice of the peace, to be designated by the council. And when the said court shall be holden by a justice of the peace six or more days in succession, he shall be entitled to receive therefor the same compensation, pro rata, that may be prescribed as salary to the police justice. (1869-70, p. 456.)

107. Any officer, who by the provisions of the charter of Richmond is required to be elected or appointed by the city council, shall be elected or appointed by the two branches in joint meeting. The president of the board of aldermen shall preside at such joint meeting, and each member of the two branches shall be entitled to one vote in all joint meetings of the two branches.

108. All ordinances, resolutions, and acts of the city council shall be signed by the president of each branch, and shall be presented to the mayor for his approval, who, if he objects thereto, shall, within five days after it shall have been presented to him for his assent, return it to that branch of the city council in which it originated, with his objection in writing, and if two-thirds of all of the members of each branch shall be of opinion that the ordinance, resolution, or act ought to be passed, it shall, notwithstanding the objections of the mayor, become a law.

109. The board of aldermen may appoint a clerk, who shall attend the meetings of said board, and keep a record of its proceedings, and shall perform such other acts and duties as the said board may from time to time require of him.

110. All acts and parts of acts in conflict with this act are hereby repealed.

111. This act shall be in force from its passage.

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TO

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THE
GENERAL ORDINANCES
OF THE
CITY OF RICHMOND

AS CONTAINED IN
THE CODE OF 1899,

AS AMENDED AND SUPPLEMENTED BY THE
ORDINANCES OF THE CITY COUNCIL TO SEPTEMBER 1, 1910,
WITH REFERENCES TO DATE OF APPROVAL, AND GENERAL INDEX OF SAME.

Printed by Authority of the Ordinance
Approved October 25, 1910.

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OF THE

CITY OF RICHMOND

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(For Index to Charter, see end of Charter.)

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NOTE BY THE CITY ATTORNEY.

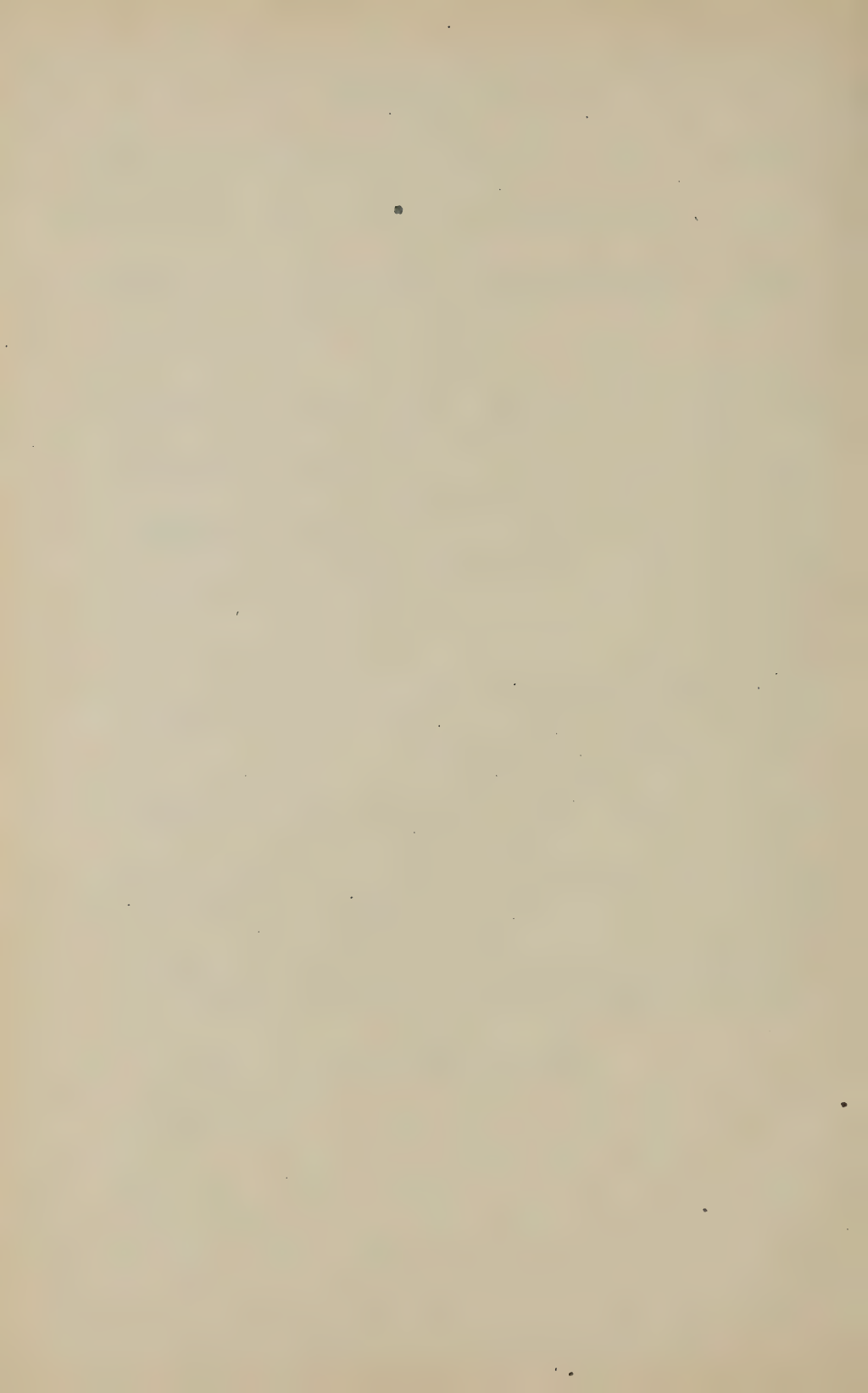
In obedience to the resolution of the city council approved March 9, 1908, instructing the city attorney, under the direction of the committee on ordinances, charter and reform to prepare with a proper index a revised Code of the ordinances of the city of Richmond, effective upon the date at which said compilation should be completed, I proceeded with all dispatch possible under the stress of other important official engagements which could not be postponed, and completed as of September 1, 1910, the following revised Code of the ordinances of the city of Richmond, effective as of that date, and submitted the same to the committee on ordinances, charter and reform at its meeting held September, 1910, when the same was by them approved and sent to the council with the recommendation that it be adopted as Richmond City Code, 1910, which recommendation was approved by the council of the city of Richmond by its ordinance approved October 25, 1910.

I am conscious of the probability that errors or omissions may be found in the work, but they have been reduced, I hope, to a minimum, considering the many interruptions during its preparation.

The intelligent and efficient work done by the Honorable Carlton McCarthy, in the consolidation of the ordinances prior to the year 1899, into the Code of 1899, greatly facilitated the preparation of the new Code, which, it is hoped, may be helpful in the administration of the affairs of the city, and at the same time give the public easy access to ordinances which vitally affect their interests in their multitudinous relations.

H. R. Pollard

City Attorney.



AN ORDINANCE
OF THE
CITY OF RICHMOND

(Approved October 25, 1910.)

*Arranging and Consolidating into a Code the General Ordinances of the
City of Richmond in force September 1, 1910.*

WHEREAS, by a resolution approved March 9, 1908, the city attorney of the city of Richmond, under the direction of the committee on ordinances, charter and reform was instructed to prepare and complete, with a proper index, a revised Code of the ordinances of the city of Richmond, effective upon the date that the said compilation shall be completed; and

WHEREAS, said compilation has been completed as of September 1, 1910, and is now ready for publication; therefore

Be it ordained by the council of the city of Richmond—

1. That the ordinances embraced in the following chapters and sections, accompanying the draft of this ordinance, shall constitute and be designated and cited as “Richmond City Code, 1910,” and the committee on printing and claims, in conformity with said resolution of March 9, 1908, is hereby directed to have printed and bound said chapters and sections, together with the charter of the city of Richmond.

2. The enactment of this ordinance shall not affect any ordinance which shall become effective after the first day of September, 1910, but every such ordinance shall have full effect, and, so far as the same varies from or conflicts with any provision contained in the code hereby adopted, it shall have effect as a subsequent ordinance, and, if necessary, to give effect to the same, as repealing any part of the said Code inconsistent therewith.

CHAPTER 1.

CONCERNING THE CONSOLIDATION OF THE CITIES OF
RICHMOND AND MANCHESTER AND FIXING THE
BOUNDARIES OF THE CITY OF RICHMOND.

(Decree of the Corporation Court of the City of Manchester.)

VIRGINIA—

In the Corporation Court of the City of Manchester:

April 15, 1910.

THE CITY OF RICHMOND, a municipal corporation, created
under the laws of the State of Virginia, Plaintiff,

vs.

CITY OF MANCHESTER, a municipal corporation, created
under the laws of the State of Virginia, Defendant.

This day came again the parties by their attorneys and it appearing to the court from the certificate of the commissioners of election of the city of Manchester that the special election ordered to be held in the city of Manchester on Monday, the 4th day of April, 1910, for the ratification or rejection of the ordinance of the cities of Richmond and Manchester providing for and ordaining the consolidation of the said two cities into one municipality to be known as the city of Richmond and to determine whether such consolidation or annexation should take effect, was held on the said day, and that 514 votes were cast for consolidation or annexation, and 223 votes were cast against consolidation or annexation; and the court being satisfied that the said ordinance was published once a day for five successive days in a daily newspaper, according to law, and was conspicuously posted throughout the said city of Manchester in at least one hundred public places in the manner prescribed by law, as is shown by the certificates of the editor of the Evening Journal and of the clerks of the respective councils of the cities of Richmond and Manchester, and the time allowed by law having expired within which

complaints of such election were subject to inquiry and determination, and no such complaint having been made, it appears to the court that the said ordinances and the said consolidation or annexation have been ratified in the manner prescribed by law, the court doth therefore declare that the cities of Richmond and Manchester have effected the consolidation or annexation provided for by said ordinance in the manner prescribed by law, which ordinance is in the words and figures following, to-wit:

AN ORDINANCE.

(Approved March 5, 1910.)

To provide for the Annexation of the City of Manchester, of the State of Virginia, to the City of Richmond, of the said State, and for the Consolidation of the said two cities, in pursuance of an Act of the General Assembly of Virginia, approved March 15, 1906, entitled: "An Act to provide for the Consolidation or Annexation of Cities."

WHEREAS, the council of the city of Richmond, of the State of Virginia, by an ordinance adopted by a recorded affirmative vote of a majority of all of the members elected to the said council, and to each branch thereof, approved April 19, 1909, declared the annexation of the city of Manchester, of the State of Virginia, by the city of Richmond, of the said State, to be desirable, and in said ordinance set out all the declaratory provisions required to be set out by section two of an act of the general assembly of Virginia, approved March 15, 1906, entitled, "An act to provide for the consolidation or annexation of cities," and appointed a committee, composed of Messrs. Barton H. Grundy and William H. Adams, of the board of aldermen, and Messrs. E. H. Spence, A. S. Buford, Jr., and John F. Don Leavy, of the common council, charged with the duties specified in said act of assembly; and

WHEREAS, the said committee in discharge of said duties did, on the 27th day of April, 1909, present a certified copy of the said ordinance to the council of the said city of Manchester; and

WHEREAS, the council of the city of Manchester, by a like recorded affirmative vote of a majority of all the members elected to each branch of said council, adopted an ordinance approved May 14, 1909, which contained the provisions required by section three of the said act of assembly and appointed a committee, composed of Messrs. A. R. Hooker and John Moore, of the board of aldermen, and Messrs. M. A. Campbell, Leroy Brown and C. C. Jones, of the city assembly; of the said coun-

cil, which committee was of the same number as the committee appointed by the council of the said city of Richmond, and charged with similar duties; and

WHEREAS, the two committees thus appointed met in joint session, as required by section four of the said act of assembly and proceeded as required by law to adjust and settle the terms and conditions of the proposed annexation or consolidation, and to prepare and perfect an ordinance designed to be adopted by the councils of the two cities named, providing for such annexation or consolidation in accordance with such terms and conditions; and

WHEREAS, their labors in this regard were interrupted by the death of E. H. Spence, Esquire, a member of the committee appointed by the council of the said city of Richmond; and

WHEREAS, the council of the said city of Richmond, did thereupon, adopt by the said recorded affirmative vote an ordinance, approved August 21, 1909, amending and re-ordaining the fourth provision of section one of the aforesaid ordinance, approved April 19, 1909, concerning the annexation or consolidation of the said cities of Richmond and Manchester, which fourth provision of section one of said ordinance was re-ordained in *ipsissimis verbis* and *in extenso*, except that the name of H. R. Pollard, Jr., was substituted for the name of E. H. Spence, deceased, as a member of the aforesaid committee, of the council of the city of Richmond; and

WHEREAS, the said committees, as thus constituted, meeting in joint session, and a majority of each committee being present and acting as separate units, have adjusted and settled the terms and conditions of the proposed annexation or consolidation, and prepared and perfected this ordinance, providing for such annexation or consolidation upon the said terms and conditions hereinafter set forth; and

WHEREAS, the said committee of the council of said city of Richmond, have reported this ordinance to the council thereof; now, therefore,

Be it ordained by the council of the city of Richmond—

That the city of Manchester, of the State of Virginia, be, and is, hereby annexed to and consolidated with the city of Richmond, of the State of Virginia, upon the following terms and conditions:

1. The united or consolidated municipality constituted by the consolidation of the said cities of Richmond and Manchester, shall be named "The City of Richmond."

The metes and bounds of the united municipality—which are the same as the metes and bounds of the present cities of Richmond and

Manchester, when united—shall be as follows, unless and until changed in the manner provided by law, that is to say:

Beginning at a point on the west shore of James river at the intersection of the corporation line of the city of Richmond, with east corporation line of the city of Manchester; thence along the said line in a southerly direction along the west margin or bank of James river, approximately 730 feet, thence S. 77° W. approximately 350 feet, thence following a line three hundred (300) feet, from and parallel with the natural margin or bank of James river, to the southern boundary line of Maury street; thence along said line of Maury street, to its intersection with the west rail of the Richmond and Petersburg railroad (Atlantic Coast Line railroad); thence to the point where the Richmond and Danville (Southern railway) crosses Canoe run; thence to a point opposite said crossing on the southern shore or margin of James river, on the corporation line of the present city of Richmond; thence in a westwardly direction along the southern margin of James river to a point opposite the western line of Mount Calvary cemetery property if projected, or the eastern line of Florida avenue (River View tract) if projected; thence across James river in a northwardly direction following the projected line of the western line of Mount Calvary cemetery property; thence continuing in a northwardly direction along the western line of said Mount Calvary cemetery to a point distant 265 feet south of the northern line of Colorado avenue, projected; thence in a westwardly direction parallel with and 265 feet south of the northern line of Colorado avenue to the western line of Virginia avenue; thence continuing in a westwardly direction parallel with and 25 feet south of the stream upon the property of Mrs. S. M. Dooley; thence in a southwardly direction parallel with and 25 feet east of the said stream upon the said property of Mrs. S. M. Dooley and across the old James river and Kanawha canal to the northern margin of James river; thence in a westwardly direction following the northern margin of James river to a point opposite the western face of the old canal lock No. 2; thence on a course N. 23° 30' E. to a point on the southern line of Hagan's addition, in the middle of the block between Spruce and Magnolia streets; thence along the southern line of said Hagan's addition in a southwardly direction to the western line of Bellevue street; thence in a northwestwardly direction parallel with Bellevue street, Blanton avenue and Tabb road to a point 150 feet south of the south line of Beverly street; thence in a westwardly direction parallel with and 150 feet south of Beverly street to a point 150 feet west of Tabb road; thence parallel with and 150 feet west of Tabb road in a northwardly direction to the north line of Beverly street; thence along a line parallel with and distant about 150 feet west of Foushee or

Sheppard street to a point 150 feet south of Westham road, or Cary street, continued; thence in a westerly direction on a line parallel with and distant 150 feet south of the said Westham road, or Cary street continued, to a point 150 feet west of Crenshaw avenue; thence in a northwardly direction along a line parallel with and distant 150 feet west of Crenshaw avenue to the center of the present public alley midway of the block between Grove avenue and Hanover street; thence in an eastwardly direction along the center line of said present public alley to a point 150 feet west of Roseneath road; thence in a northwardly direction along a line distant 150 feet west of and parallel with the said Roseneath road to a point on the northern line of the Deep Run turnpike, or Broad street continued; thence in an eastwardly direction along the northern line of Deep Run turnpike, or Broad street continued, to the eastern line of the property owned by the R., F. & P. R. R. Co. (formerly the fair grounds); thence in a northwardly direction along the eastern line of the property owned by the R., F. & P. R. R. Co. (formerly the fair grounds) to the northern line of Leigh street; thence in an eastwardly direction along the northern line of Leigh street to the western line of Spottswood avenue; thence in a northwardly direction along the western line of Spottswood avenue to the northern line of the right of way of the Seaboard Air Line railway; thence in an eastwardly direction along the northern line of the right of way of the Seaboard Air Line railway to a point 150 feet east of the eastern line of Allen street; thence northwardly parallel with and 150 feet east of the eastern line of Allen street to the alley about 120 feet south of Fritz street; thence eastwardly parallel with and 120 feet south of the south line of Fritz street to the west line of Virginia street; thence northwardly along the western line of Virginia street to a point in line with the northern line of Powell Street projected which line is about 75 feet south of the south line of Fritz street; thence eastwardly parallel with the northern line of Powell street to a point 150 feet west of the west line of Mitchell street or Lamb avenue; thence southwardly to the northern line of Bacon Quarter branch; thence along the northern line of said Bacon Quarter branch in an eastwardly direction to the western line of Seventh street; thence in a direct line to a point 150 feet north of the present corporation line; thence eastwardly parallel with and 150 feet north of the present corporation line to a point 150 feet east of the eastern line of Seventeenth street; thence southwardly parallel with and 150 feet east of the eastern line of Seventeenth street to a point distant 150 feet north of Fairfield avenue; thence in an eastwardly direction parallel with and 150 feet north of Fairfield avenue to a point in line with the eastern line of a 40-foot street (not named) parallel to and east of Buchanan street; thence in a southwardly direc-

tion to a point 150 feet south of Accommodation street; thence in an eastwardly direction 150 feet south of Accommodation street extended, to a point 150 feet north of Redd street, projected; thence in a south-eastwardly direction parallel with and 150 feet north of Redd street to the east line of Mechanicsville turnpike; thence in a northwardly direction along the eastern line of Mechanicsville turnpike to the north boundary line of town of Fairmount; thence in an eastwardly direction following the said northern boundary line of town of Fairmount to the center of Twenty-second street; thence in an eastwardly direction parallel with and 150 feet north of "V" street to a point 150 feet east of Twenty-third street; thence in a southwardly direction parallel with and 150 feet east of Twenty-third street to a point 150 feet north of that section of "T" street east of Twenty-sixth; thence in an eastwardly direction parallel with the eastern section of "T" street to a point 150 feet north of "T" street and to a point 150 feet north of the Nine Mile road; thence in an eastwardly direction parallel with and 150 feet north of the Nine Mile road to a point 150 feet north of "U" street, projected; thence in a southeastwardly direction parallel with and 150 feet north of "U" street to the west line of Thirtieth street (designated on the accompanying map as S. $48^{\circ} 25'$ E.); thence continuing in a southeastwardly direction on a line designated a S. $45^{\circ} 45'$ E. for a distance of 2,069 feet to the line of property of Grimmell's estate; thence following along the line of the said Grimmell's estate on a line designated as S. $44^{\circ} 02'$ E. for a distance of 368 feet to the Oakwood cemetery property; thence following the western, northern and eastern lines of the Oakwood cemetery property to the county road in front of the said Oakwood cemetery; thence in a southwardly direction crossing the said county road to the southern line of a street laid down on the accompanying map as McCarthy street; thence in a westwardly direction along the southern line of the said McCarthy street to the western line of Canepa street; thence in a southwardly direction along the western line of Canepa street projected to a point distant 150 feet south of Gillie's creek; thence in a southwestwardly direction parallel with and 150 feet south of Gillie's creek to a point on the south line of the National cemetery road; thence along the south line of the National cemetery road in an eastwardly direction to a point about 750 feet east of the eastern line of Malone street; thence along a line parallel with and about 750 feet east of Malone street to a point 150 feet south of Williamsburg avenue; thence in a westwardly direction parallel with and 150 feet south of Williamsburg avenue to a point 150 feet east of the eastern line of Scott street; thence southwardly parallel with and 150 feet east of Scott street to a point 150 feet south of the southern line of Potomac street, projected; thence in a westwardly

direction parallel with and 150 feet south of Potomac street to a point 150 feet west of the western line of Tenth street (Fulton); thence in a northwardly direction parallel with and 150 feet west of Tenth street (Fulton) to a point 150 feet south of Williamsburg avenue; thence in a northwardly direction parallel with and 150 feet west of Williamsburg avenue to the present corporation line, 150 feet south of Orleans street; thence following along the present eastern corporation line of the city of Richmond to the point of beginning.

2. The charter of the said city of Manchester is hereby surrendered and annulled, and the charter and seal of the said city of Richmond, is hereby adopted as and for the charter and seal of the consolidated municipality.

3. The said city of Manchester doth hereby grant and convey, assign, transfer, and set over unto the said city of Richmond, the consolidated municipality, all its charter rights, privileges, duties, powers, obligations, properties, interests and jurisdiction; and the said city of Richmond, the consolidated municipality, hereby accepts and assumes the said rights, duties, powers, obligations, properties, interests, claims, demands, privileges, and jurisdictions, together with all valid debts and liabilities, of the said city of Manchester, due and to become due up to and including the day on which the said annexation or consolidation shall take effect.

4. The said city of Manchester shall be, and is hereby, declared and ordained to be a ward of the consolidated municipality with all the privileges, or incidents which adhere or appertain to a ward, under the charter and ordinances of the consolidated municipality and under the laws of the Commonwealth of Virginia, and shall be known as "Washington ward, of the city of Richmond."

5. The council of the consolidated municipality (each branch thereof acting separately) shall at its first session after consolidation shall take effect, elect from the qualified persons, residing in said Washington ward, members to represent said ward, in each branch respectively, of said council, giving the same representation in each branch of said council, to said Washington ward, as is or shall be enjoyed by the other wards of the consolidated municipality, determining the long and short term members by lot, and the members so elected shall serve until their successors are chosen and shall qualify in due course of law.

6. The following city officers and officers of the city of Manchester, are hereby abolished, by virtue of section 20, sub-division sixth, of the act of assembly, aforesaid, and the salaries or other compensation thereof, if any there be, are hereby abolished and terminated along with the office or officers, to which the same may be attached; provided, however,

that the abolition of said offices and the termination of said salaries shall take effect only upon condition that the consolidation herein provided for shall be consummated in the manner prescribed by law, and upon and after the day upon which such consolidation shall legally take effect, to-wit: the office and salary or other compensation of mayor, or councilman (by which term it is intended to include both members of the board of aldermen and of the city assembly) of fire commissioner, of police commissioner, the board of fire commissioners, and the board of police commissioners, of member of the board of health, the board of health, and the office of president thereof, of commissioner of, and the commissioners of the James River Bridge Company, water commissioner and board of water commissioners. All other officers of the present city of Manchester, elective or appointive, whose terms of office would otherwise be cut off, or interrupted by the consolidation of the said cities of Richmond and Manchester, are hereby continued in office and retained as officers of the consolidated municipality until the expiration of their respective terms, with the several titles assigned them by section sixteen of this ordinance; and the salaries or compensation now attached to their respective offices, as specified in said section sixteen of this ordinance, shall be and are hereby guaranteed to them, and shall be paid them regularly in monthly installments until the expiration of their respective terms of office, but said officers so retained are hereby transferred to and shall be employed under the direction and supervision of the heads of the corresponding departments of the government of the united or consolidated municipality, to which they nominally, or if classified by the character of their respective duties, naturally belong. Such officers, if any, who are not expressly abolished by this ordinance, or whose salaries are not provided for in section sixteen of same, are retained until the end of their respective terms of office, with their respective salaries or compensation unimpaired.

There shall be an assistant Commonwealth's attorney for the consolidated municipality, and the Commonwealth's attorney of the city of Manchester, who is in office, when consolidation shall take effect is hereby continued as such assistant for the term for which he was elected, and until his successor shall qualify. And the city attorney, who is in office when consolidation shall take effect, shall also be continued in office as an assistant to the city attorney of the consolidated municipality for the term for which he was elected. They shall each during the continuance of their term, receive the annual salary or allowance prescribed by section sixteen of this ordinance.

7. The said city of Manchester shall not from the time when consolidation shall have taken effect, create any further debt, nor levy any further taxes, assessments or licenses upon person or property.

8. The transfer of all former funds and the payment of all outstanding dues, revenues, debts and obligations to and by the consolidated municipality, is hereby ordained and required, as the said act of the general assembly provides.

9. Until the day appointed for the consolidation herein ordained to take effect, the expenses of the said city of Manchester, and of the maintenance of its public schools, shall be paid in the manner and out of the funds as now provided for in the charter and ordinances of the said city, but on and after said day, the said expenses, including all unsatisfied budget or other appropriations, then unsatisfied, in whole or in part, whether to the school board of the said city, the committees of its council, or other, shall fall upon and be paid out of the treasury of the consolidated municipality, in the manner provided for similar payments by the ordinances of the said municipality. And it shall be the duty of the finance and other committees of the council of the said city of Manchester, prior to the day on which consolidation shall become finally effective, to audit all bills, outstanding, against the said city at the time consolidation shall take effect, properly pertaining to their several departments, and certify them to the proper officer or department of the consolidated municipality for payment.

10. The school board of the consolidated municipality, with the superintendent of schools thereof, shall constitute its department of education and adequate school facilities for both white and colored children shall be provided, and maintained therein, as well within the present territorial limits of the said city of Manchester, as within those of the city of Richmond.

The teachers employed in the existing schools of the said city of Manchester, when consolidation takes effect, shall be and become teachers of the school system of the consolidated municipality, and their compensation shall be fixed upon the same basis and determined by the same rules as the other teachers thereof; and their length of service in the schools of the said city of Manchester, shall be reckoned in fixing their grade and compensation as teachers in the schools of the consolidated municipality, as far as under the present school system of the said city of Richmond, it may legitimately effect the same, with the same force and effect, as if such service had been rendered in the schools of the latter city.

The superintendent of schools and the school trustees of the said city of Manchester, who are in office when consolidation shall take effect, shall be and are hereby continued in office and in their official duties, for the terms for which they were severally elected or appointed, with the salaries and compensation allowed them by law; provided, however, that the superintendent of schools of the said city of Manchester shall be sub-

ordinate to and shall act as the assistant of the superintendent of schools of the consolidated municipality, and shall have no duties or authority except in relation to the schools within the territory of the said city of Manchester; and provided, further, that the school trustees of the said city of Manchester, shall likewise be confined in their duties and authority to the schools in said territory; and provided further, that upon the death, resignation or expiration of the terms of office of the said superintendent and school trustees of the said city of Manchester, the school system in the said city shall, in all respects, be absorbed in and consolidated with the school system of the consolidated municipality.

11. The charter of the said city of Richmond, and the ordinances made or to be made in pursuance thereof, relating to a police force, a fire department, a board of health, for the care of public grounds and buildings, relating to streets and sewers, the maintenance of a department of water and of light, and for the care of the poor, shall govern the consolidated municipality; provided, however, that an adequate system of fire protection shall be established and maintained within the limits of the said city of Manchester, and that the members of the police and fire departments of the said city of Manchester, shall upon consolidation of the two cities, be and become members of the police and fire departments, respectively, of the consolidated municipality, and entitled to the same compensation, and to all the rights and privileges of such, their respective rank, titles, duties and powers remaining unchanged, however, until the governing authorities thereof otherwise provide.

And it is further provided that the age of such retained members of the fire and police departments shall not be a bar to reappointment at the expiration of their terms current, when consolidation becomes effective, unless it would be a bar under the rules of the police or fire department, to all members of similar age, in said departments.

Provided, further, that the present water system of the said city of Manchester, including its filtering plant, shall be maintained in good and serviceable condition, and operated by the municipality and water furnished therefrom continuously, as at present, to all takers within the limits of the said city of Manchester, at rates not higher than those charged to other citizens of the consolidated municipality, until such time as the consolidated municipality shall furnish water of sufficient quantity and of as pure and clear quality from other sources. Should the consolidated municipality at any time empty any portion of its sewage into the James river, at any point above the intake pipe of the present water system of the said city of Manchester, then said pipe or pipes shall be extended sufficiently far up the said river, to protect the water of the said city of Manchester, from all danger of pollution from such sewage, and such extension of the intake pipe, as herein provided for shall be made

before the said consolidated municipality shall empty any portion of its sewage into the James river, above the intake pipe of the present water system, as aforesaid; provided, further, that the present territorial limits of the said city of Manchester, shall be supplied upon and immediately following consolidation, with not less than one hundred (100) arc-lights, of 1,200 indicated candle-power, each, for street lighting purposes, to be located at such points as may be determined by the council of the consolidated municipality, to be permanently maintained at its expense, which number shall be increased as the future growth and development of said territory may reasonably demand.

Provided, further, that within two years next after consolidation shall take effect, gas shall be distributed in mains throughout the territorial limits of the said city of Manchester, as far as the council of the consolidated municipality deems practicable and reasonable, and furnished to takers at rates charged other consumers within the consolidated municipality.

Provided, further, that until such time as the consolidated municipality shall provide a sewer system within the territorial limits of the said city of Manchester, capable of taking off the surface drainage as well as house drainage, no sewer-tax shall be imposed upon persons or property within said limits under section thirty of chapter thirty-eight of the Richmond City Code 1899, or other similar ordinances, and that section thirty of chapter thirty-eight of the said City Code 1899, be, and the same is hereby, to that extent, amended and declared of no effect; but as storm or trunk sewers and street catch basins are installed in the streets within said territorial limits, or the present sewers within said limits are made available for purposes of such drainage, as well as house drainage, then, and in that event, the property abutting said sewers, or within the area drained thereby, shall become subjected to sewer-tax, as provided in said section thirty of chapter thirty-eight or other ordinances of the consolidated municipality.

12. The jail of the said city of Manchester shall be converted into and suitably maintained and used as a place of detention of persons arrested for offences committed within the territorial limits of the said city, until they have been tried or examined by the police court, Part II, of the consolidated municipality.

13. The records and papers of the council of the said city of Manchester, of the mayor of the said city, all deeds to the said city of Manchester, and such other public records and papers, except records of the present mayor's court, of said city, which shall appertain and belong to the police court, Part II, of the consolidated municipality, and the records of the hustings court, Part II, and its clerk's office, mentioned in section seventeen, sub-division (g) of this ordinance, and those pertaining to Maury

cemetery, as may be necessary for the proper government of the consolidated municipality, shall be transferred and delivered to the appropriate officer, or head of department thereof, as soon as may be after consolidation shall take effect, or upon the written request of such officer or head of department.

14. Such justices of the peace and constables as are in office, when consolidation shall take effect, shall be continued in office, until the expiration of the several terms for which they were elected or appointed, and shall be vested with the same rights, powers, duties and jurisdictions, as if they were severally elected or appointed, in and for the consolidated municipality, and shall receive the same fees or other compensation.

15. All registrars and judges and clerks of election of the said city of Manchester are hereby continued in office, for the terms for which they were severally appointed, subject to the control of and removal by the proper authority, and shall receive the compensation allowed them by law. They shall hold, conduct and certify all elections during their continuance in office, as if no consolidation had taken place, except so far as a change in the name of their city, or of the corporation court of their city or of their respective wards or precincts shall require a change in their official titles, acts or certificates.

The present wards of the said city of Manchester (four in number) shall be and are hereby abolished and consolidated into one ward, to be known as "Washington ward" of the city of Richmond, and until the various precincts of the said several wards shall be rearranged by the council, the said wards of the said city of Manchester shall be, and are, hereby converted into and declared to be so many precincts of said Washington ward, to be known as First precinct, Second precinct, Third precinct, and Fourth precinct, corresponding both in boundaries and in number to the present wards of said city of Manchester.

The duties of the electoral board and of the commissioner of election of the said city of Manchester, shall devolve upon and be performed by the electoral board and the commissioners of election, respectively, of the consolidated municipality, after consolidation; and the returns of all elections shall be made to the clerk of the present hustings court of the said city of Richmond, on and after the day when consolidation shall take effect.

16. The salaries and the average annual compensation of all officers of the city of Manchester, who are retained in office by this ordinance, and who are paid salaries, or whose compensation is determined in whole or in part, by fees or commissions, allowed by law, are hereby ascertained and fixed at the several sums hereinafter set forth, which shall be paid to them by the consolidated municipality, in equal monthly installments

during the term of office for which they were severally elected or appointed, that is to say:

(a) Judge of the corporation court as judge of the hustings court of the city of Richmond, Part II; salary, \$2,750.00.

(b) Clerk of the corporation court, as clerk of the said hustings court, Part II; salary, \$450.00; fees, \$1,350.00, or a total of \$1,800.00.

(c) Sergeant of the city, as sergeant of the said hustings court, Part II; salary, \$610.00; fees and commissions, \$980.00; total, \$1,590.00.

(d) Treasurer, as deputy of the treasurer of the city of Richmond; salary, \$1,400.00; commissions, \$1,520.00; total of \$2,920.00, which shall include allowance for clerk's hire, if any.

(e) Auditor, as an assistant to the auditor of the city of Richmond; salary, \$925.00.

(f) Assistant city clerk, as such assistant, salary of \$600.00.

(g) Special city collector, as special assistant city collector; commissions, \$1,500.00, which shall include allowance for deputy, if any.

(h) Commissioner of the revenue, as deputy commissioner of the revenue; salary, \$800.00; fees, \$1,000.00; total, \$1,800.00, which shall include allowance for clerk's hire, if any.

(i) Commonwealth's attorney, as assistant Commonwealth's attorney; salary, \$400.00; fees, \$260.00; a total of \$660.00.

(j) City attorney, as an assistant city attorney; salary, \$900.00.

(k) City engineer, as an assistant city engineer; salary, \$1,200.00; fees, \$100.00; total, \$1,300.00.

(l) Superintendent of water works, as assistant superintendent of water works; salary, \$1,080.00.

(m) Clerk of board of water commissioners, as clerk in the water department; salary, \$900.00.

(n) Superintendent of Maury cemetery, as such \$900.00, which shall include compensation for his services as superintendent of almshouse, to the end of his present term as such superintendent unless the council abolishes that office sooner.

(o) City physician, as a district physician; salary, \$900.00.

(p) President of the board of health, as an assistant of the chief health officer of the city of Richmond; salary, \$100.00; fees, \$7.00; total, \$107.00.

(q) Superintendent of schools, as the assistant of the superintendent of schools of the city of Richmond; salary, \$480.00.

(r) High constable, as a deputy high constable, the fees now allowed him by law.

(s) Chief of police as a captain of police, one sergeant of police and five privates of the police force. The compensation of these officers, with that of the firemen, consisting of six call-men, five substitutes, two station-men, an assistant chief and a chief, shall be as fixed by section eleven

of this ordinance, the amounts paid the like officials of Richmond forces of corresponding rank; provided, however, that the chief and assistant chief of the fire department shall receive the pay they now receive unless and until assigned to a different rank in that department of the consolidated municipality.

(t) Coroner, as assistant coroner, whose duties shall be confined to the south side of the James river, unless otherwise ordered by the coroner of the city of Richmond, fees allowed by law.

(u) Justices of the peace, as such, the fees allowed by law.

(v) Such assessors of land for the city of Manchester as provided by chapter twenty-three of the Code of Virginia, as are in office at the time of consolidation, shall be retained in office until the completion of their duties, and shall be paid by the city of Richmond for their services such compensation as has been agreed to be paid by the city of Manchester.

(w) Twelve (12) school trustees, each twenty dollars (\$20.00) per annum; total, \$240.00.

Provided, however, that all such officers shall be entitled to and shall continue to collect such salaries, fees and commissions, as can be charged and collected by them, according to law, and provided that such salaries, fees and commissions so chargeable, and that are collectible by them shall be a credit upon the amount hereinbefore allowed them, as and for their average annual compensation, and the monthly installments of such compensation, to be paid them respectively shall be reduced by the salaries, fees and commissions that are so chargeable and collected or collectible, which salaries, fees and commissions, shall be set forth in a written and signed statement showing the salaries, fees or commissions chargeable and collected, or non-collectible, which shall be filed each month with the auditor of the consolidated municipality, who shall thereupon make out his warrant upon the treasurer of the said consolidated municipality, for the balance of the said monthly installment, so shown to be due—the intention of this provision being to secure the payment to the said officers of an amount, which shall be at least equal to their average annual compensation, as above ascertained in equal monthly installments; provided, however, that all such officers shall account to the auditor for, and pay over to the treasurer of the consolidated municipality, any excess of such fees or commissions, collected or collectible in any month over and above the monthly installment of the average annual compensation hereinbefore ascertained, thus guaranteed.

Should any of the said officers who are transferred or assigned to duty in the consolidated municipality as aforesaid, before the expiration of his term of office, current when consolidation shall take effect, be removed except in due form, for good cause, personal to himself, then, and in such event, his right to the salary or compensation hereby secured to him,

shall continue until the expiration of his said term, notwithstanding such removal.

17. This consolidation ordinance is agreed upon and adopted by the councils of the said cities of Richmond and Manchester upon the following terms and conditions, in addition to those hereinbefore set out, to-wit:

(a) The consolidated municipality shall be governed by the charter of the city of Richmond, hereinbefore adopted, and by the ordinances of the said cities, so far as the same are not inconsistent with the fact of consolidation, or with any of the terms or provisions of this ordinance, or with the aforesaid act of assembly of March 15, 1906; provided, however, that in case of conflict between the ordinances of the two cities, the ordinances of the city of Richmond shall prevail. And provided further that any of the said ordinances of either of said cities may be amended, or repealed at any time by the council of the consolidated municipality, save in so far as they may be embodied in and made part of the terms or conditions of this ordinance.

(b) The consolidated municipality shall construct and maintain a modern and up-to-date bridge, either on the site of the present Mayo bridge, across the James river, or so near thereto as to afford direct connection between Hull street of the said city of Manchester, and Fourteenth street of the said city of Richmond. The said bridge shall have a roadbed not less than forty feet (40) in width, and shall be free to all persons using the same, except transportation and transmission companies. The site for the said bridge shall be acquired and the work of actual construction of said bridge shall be begun at the earliest practicable date, not later than twelve months after consolidation shall take effect, and when so begun shall be pushed to completion with all reasonable dispatch.

(c) The consolidated municipality shall maintain and keep open, and in suitable and adequate condition for pedestrians, vehicles and street railways the present free bridge between said cities of Richmond and Manchester.

(d) The ordinances of the said city of Richmond and of the consolidated municipality prohibiting the establishment of plants and the location of tanks for the storage and distribution of oils and grease, shall not apply to, and shall be and are hereby so far amended as not to be effective within that part of the territorial limits of the said city of Manchester, which lies between Porter street on the west, James river on the north, and the present corporation line of the city of Manchester on the east, and Seventh street on the south.

(e) The consolidated municipality shall establish and permanently maintain within the present territorial limits of the city of Manchester,

an office, at which all taxes and other public dues, including fines for the violation of ordinances, collectible within the said limits, shall be paid. The taxes and revenues herein provided to be paid at the said office as aforesaid shall include receipts from Maury cemetery, receipts from water and gas used in the city of Manchester, city fines, and all taxes, licenses, receipts, revenues, incomes and moneys, whether arising within or without the limits of the present city of Manchester, which would be collectible by the said city of Manchester, but for such consolidation, and which are actually collected, and including receipts for water and gas payable to the water and gas departments of the city of Richmond, in the event that the residents of the territorial limits of the present city of Manchester are supplied with water and gas by those respective departments of the city of Richmond. And shall designate one or more city depositors for municipal funds within the same; provided, however, that all taxes, licenses and levies or assessments for the year, in which consolidation is effective, shall be collectible and payable according to the provisions of existing laws.

(f) Thirty per centum gross of all incomes and revenues derived by the city of Richmond from persons, property and licenses within the present territorial limits of the city of Manchester, that is, thirty per centum gross of all receipts from Maury cemetery, receipts from water used in the city of Manchester, city fines, and all taxes, licenses, receipts, revenues, income and moneys, whether arising within or without the limits of the present city of Manchester, which would be collectible by the said city of Manchester, but for such consolidation, and which are actually collected and including receipts for water, payable to the water department of the city of Richmond, in the event that the residents of the territorial limits of the present city of Manchester, are supplied with water by the said department of the city of Richmond, but not including receipts from gas when supplied; shall be annually expended upon and applied to street improvements within the said limits for a period of five years next after the date when annexation shall become effective. The said street improvements shall include curbing, guttering and roadbed improvement, but shall not include sewers, culverts or catch-basins, such as a majority of the representatives in the council of the city of Richmond, representing the said Washington ward therein, shall prescribe and direct, subject in all cases, however, to the approval of the council of the said city of Richmond.

(g) The corporation court of the said city of Manchester, shall be and is hereby permanently retained and continued as a court of the consolidated municipality, and shall be clothed with and continue to exercise the same powers and jurisdiction, civil and criminal, and as a court of probate and registry, which it now possesses, with the additional pow-

ers and jurisdiction conferred by the aforesaid act of assembly, and including appellate jurisdiction, as allowed and regulated by law, to the police court, Part II, of the consolidated municipality. The clerk of the said court shall, however, certify each day to the clerk of the chancery court of the city of Richmond—the consolidated municipality, a full and correct index of all matters admitted to record therein, required by law to be recorded, for which, in addition to his other compensation, he shall be paid out of the treasury of the consolidated municipality, the fees allowed by law for other certificates. All matters so certified shall be entered by the clerk of the said chancery court in appropriate books, properly marked, and designated as records of Part II of the court of records of the city of Richmond, for which he shall receive like fees. The said corporation court shall be designated as “hustings court of the city of Richmond, Part II,” and the city sergeant of the said city of Manchester, and the clerk of the said court shall continue in office as clerk and sergeant of the said hustings court, Part II, until the expiration of their respective terms of office, and thereafter until the election and qualification of their successors, as prescribed in the aforesaid act of assembly. A janitor shall also be provided for the said court, who shall also act as janitor of the police court, Part II, of the consolidated municipality, and such deputies also to the said sergeant, shall be provided as the public service may demand. All process issuing from the said court, shall be directed to the sergeant of the city of Richmond, and shall be executed by the sergeant of the said court, with full legal force and effect. The sessions of the said hustings court, Part II, shall be held within the present territorial limits of the said city of Manchester.

(h) In addition to the number of licenses for the manufacture or sale of ardent spirits allowed by law, at present within the limits of the said city of Richmond, there shall be allowed within the territorial limits of the said city of Manchester upon consolidation, twenty-two such licenses. Should the number of licenses be reduced by the consolidated municipality, then those within the territorial limits of the said city of Manchester, shall be reduced only in fair proportion to the reduction in the remainder of the consolidated municipality.

And the ordinances of the said city of Richmond, and of the consolidated municipality, so far as they are, or would otherwise be in conflict with the provisions of this section, shall be and are hereby declared not applicable within the said territorial limits of the city of Manchester, and shall be and are hereby amended to that extent.

(i) The said city of Richmond—the consolidated municipality—hereby assumes, from and after the day when consolidation shall take effect, the bonded indebtedness of the city of Manchester, with all of its other

debts, liabilities, and obligations of every character, including its budget and other appropriations for the fiscal year current when consolidation shall take effect, whether to the school board of the said city of Manchester, the committee of its council, or other; and from and after the said day, accepts and takes over all property and assets of the said city of Manchester, including its sinking fund or funds; and said property assets, and sinking funds shall be and *ipso facto* become the property of the consolidated municipality, and shall thereafter be held in its name and for its account. The said sinking fund or funds shall remain charged, however, in the hands of the consolidated municipality, with the particular trusts or uses, to which they are devoted at present, and shall be kept separate and apart from other funds of the consolidated municipality, as they are now required to be by the ordinances of the said city of Manchester.

(k) There shall be a police court, which shall be held by a police justice, within the former territory of the city of Manchester, which shall be known as the police court, Part II, of the city of Richmond; provided, however, that the mayor of the present city of Manchester shall be and become the police justice, designated for the trial of cases, civil and criminal, arising within the former territory of his city, to serve as such until the expiration of the term for which he was elected mayor, and during such term shall receive a salary as such justice, which shall not be less than one thousand dollars per annum. His term of office and the salary of his successors shall be determined as provided by the said act of assembly, and his powers, duties and jurisdiction shall be such as are vested in the police justice by said act, or in the mayor by the existing ordinances of the city of Manchester, as the same may be amended. Such appeals as are allowed by law to the judgments of the said police justice shall be to the hustings court of the city of Richmond, Part II.

(1) The annexation or consolidation herein ordained shall take effect at twelve o'clock noon, on the eleventh day next after the corporation court of the said city of Manchester, or the judge of the said court in vacation, shall enter the order prescribed in section eighteen of the aforesaid act of assembly.

18. Be it, however, further and finally ordained, that the annexation or consolidation ordained and provided for in and by this ordinance shall take effect only upon condition that this ordinance is ratified by the duly registered and qualified voters of the said city of Manchester, at an election to be held in that city for the purpose, at the time and in the manner prescribed by the aforesaid act of the assembly, or any amendment thereof, that may be enacted prior to the holding of such election; and in case one-fourth of the qualified voters of the city of Richmond peti-

tion the council of said city asking that an election be held therein for the purpose, the said consolidation shall take effect only upon condition that this ordinance is ratified by the duly registered and qualified voters of the city of Richmond at an election held therein for that purpose in the manner prescribed by law.

19. This ordinance shall take effect from its passage.

Adopted by the common council of the city of Richmond, Va., February 24, 1910. Ayes, 22; noes, 11. Concurred in by the board of aldermen of the city of Richmond, Va., March 3, 1910. Ayes, 12; noes, 7.

Approved by the mayor, March 5, 1910.

CHAPTER 2.

CONCERNING THE WARDS OF THE CITY.

1. Marshall ward shall include all that territory within the corporate limits of the city, as established December 6, 1906, lying east of a line beginning at a point in the center of Twenty-seventh street at the corporation line; thence southwardly along the center of Twenty-seventh street to the center of Broad street; thence westwardly along the center of Board street to the center of Twenty-sixth street; thence southwardly along the center of Twenty-sixth street to its terminus; thence continuing southwardly along the same straight line to a point in the corporation line on the southern shore of James river. (January 21, 1907.)

2. Jefferson ward shall include all that territory within the corporate limits of the city, as established December 6, 1906, lying west of the western boundary of Marshall ward, above described, and east of a line beginning at a point in the center of the old Mechanicsville turnpike at the corporation line; thence southwardly along the center of the old Mechanicsville turnpike or Mosby street to the center of Carrington street; thence westwardly along the center of Carrington street to a point opposite the center of Eighteenth street extended to the center of Carrington street; thence southwardly along the projection of the center of Eighteenth street and across private property to the head of Eighteenth street at Venable street, and continuing southwardly along the center of Eighteenth street to the center of Broad street; thence westwardly along the center of Broad street to a point opposite the center of Fifteenth street extended; thence southwardly along this projection and along the center of Fifteenth street to its terminus; and thence continuing southwardly by the same straight line to a point in the corporation line on the southern shore of James river. (January 21, 1907.)

3. Madison ward shall include all that territory within the corporate limits of the city, as established December 6, 1906, lying west of the western boundary of Jefferson ward, as above described, and east of a line beginning at a point in the center of Seventh street or its former extension at the corporation line; thence southwardly along the center of Seventh street or its former extension to the center of Duval street; thence westwardly along the center of Duval street to the center of Fifth street; thence southwardly along the center of Fifth street to its termi-

nus; and thence continuing southwardly by the same straight line to a point in the corporation line on the southern shore of James river. (January 21, 1907.)

4. Monroe ward shall include all that territory within the corporate limits of the city, as established December 6, 1906, lying west of the western boundary of Madison ward, as above described, and east of a line beginning at a point in the center of St. James street at the corporation line; thence southwardly along the center of St. James street to the center of Jackson street; thence eastwardly along the center of Jackson street to the center of First street; thence southwardly along the center of Fifth street to its terminus; and thence continuing southwardly by the same straight line to a point in the western boundary of Madison ward in the bed of James river. (January 21, 1907.)

5. Henry ward shall include all that territory within the corporate limits of the city, as established December 6, 1906, lying west of the western boundary of Monroe ward, as above described, and east of a line beginning at a point in the center of Brook avenue at the corporation line; thence southwardly along the center of Brook avenue to the center of Monroe street; thence southwardly along the center of Monroe street to the center of Broad street; thence westwardly along the center of Broad street to the center of Henry street; thence southwardly along the center of Henry street to the center of Main street; thence westwardly along the center of Main street to the center of Belvidere street; thence southwardly along the center of Belvidere street to its terminus; thence continuing southwardly by the same straight line to a point in the western boundary of Madison ward in the bed of James river. (January 21, 1907.)

6. Clay ward shall include all that territory within the corporate limits of the city, as established December 6, 1906, lying west of the western boundary of Henry ward, as above described, and south of a line beginning at the point of intersection of the center lines of Belvidere and Main streets; thence northwardly along the center of Belvidere street to the center of Franklin street; thence westwardly along the center of Franklin street to the center of Laurel street; thence southwardly along the center of Laurel street to the center of Park avenue; thence westwardly along the center of Park avenue to the center of Ivy street; thence westwardly along the center of Ivy street in a straight line to a point in the corporation line; the corporation line in the west from Ivy street to the northern shore of James river being the western boundary of the aforesaid ward, and the corporation line in the south being the southern boundary of the aforesaid ward. (January 21, 1907.)

7. Lee ward shall include all that territory within the corporate limits, as established December 6, 1906, lying west of the western boundary of Henry ward, as above described, and north of a line beginning at a point at the intersection of the center lines of Henry and Main streets; thence westwardly along the center of Main street to the center of Belvidere street; thence northwardly along the center of Belvidere street to the center of Franklin street; thence westwardly along the center of Franklin street to the center of Laurel street; thence southwardly along the center of Laurel street to the center of Park avenue; thence westwardly along the center of Park avenue to the center of Ivy street; thence westwardly along the center of Ivy street in a straight line to the corporation line; the corporation line of the city on the north and west being the northern and western boundary of the said ward. (January 21, 1907.)

8. Washington ward shall include all that territory within the corporate limits of the city of Richmond, annexed thereto by the ordinance approved March 5, 1910, to-wit: Beginning at a point on the west shore of James river at the intersection of the corporation line of the city of Richmond, with east corporation line of the city of Manchester; thence along the said line in a southerly direction along the west margin or bank of James river, approximately 730 feet; thence S. 77° W. approximately 350 feet; thence following a line three hundred (300) feet, from and parallel with the natural margin or bank of James river, to the southern boundary line of Maury street; thence along said line of Maury street, to its intersection with the west rail of the Richmond and Petersburg railroad (Atlantic Coast Line railroad); thence to the point where the Richmond and Danville (Southern railway) crosses Canoe run; thence to a point opposite said crossing on the southern shore or margin of James river, on the corporation line of the present city of Richmond; thence in a westwardly direction along the southern margin of James river to a point opposite the western line of Mount Calvary cemetery property if projected, or the eastern line of Florida avenue (River View tract) if projected; thence in a southeasterly direction along the southern margin of James river to the beginning. (March 5, 1910.)

CHAPTER 3.

CONCERNING ELECTION PRECINCTS IN THE SEVERAL WARDS.

1. The wards in the city of Richmond are hereby divided into election precincts, bounded respectively as follows:

2. *First Precinct, Clay Ward.*—Commencing at a point at the intersection of Park avenue and Walnut street; thence eastwardly along the center of Park avenue to the center line of Laurel street; thence northwardly along the center line of Laurel street to the center line of Franklin street; thence eastwardly along the center line of Franklin street to the center line of Belvidere street; thence southwardly along the center line of Belvidere street to the center line of Cary street; thence westwardly along the center line of Cary street to the center line of Linden street; thence northwardly along the center line of Linden street to the center line of Main street; thence westwardly along the center line of Main street to the center line of Walnut street or Allen avenue; thence northwardly along the center line of Walnut street or Allen avenue to the center line of Park avenue, to the point of beginning. (May 7, 1907.)

3. *Second Precinct, Clay Ward.*—Commencing at a point on the corporation line on the south side of the James river in the center line of Linden street, projected; thence northwardly along the center line of Linden street to the center line of Main street; thence westwardly along the center line of Main street to the center line of Walnut street or Allen avenue; thence southwardly along the center line of Walnut street or Allen avenue to the center line of Cary street; thence eastwardly along the center line of Cary street to the center line of Carter street; thence southwardly along the center line of Carter street to the corporation limits; thence eastwardly along the corporation limits to the east side of Florida avenue; thence southwardly along the corporation line and western line of Mount Calvary cemetery to the south side of the James river; thence eastwardly along the corporation line (southern shore of James river) to the center of Linden street, projected, the point of beginning. (May 7, 1907.)

4. *Third Precinct, Clay Ward.*—Commencing at a point in the eastern boundary of Monroe ward in James river where the center line of Belvidere street, projected, intersects the said boundary of Monroe ward;

thence northwardly along the center line of Belvidere street to the center line of Cary street; thence westwardly along the center line of Cary street to the center line of Linden street; thence southwardly along the center line of Linden street to its terminus; and thence in a straight line to the corporation line on the south side of the James river; thence eastwardly along the corporation line and the eastern boundary of Monroe ward to the point of beginning. (May 7, 1907.)

5. *Fourth Precinct, Clay Ward.*—Commencing at the corporation line in the center line of Ivy street; thence eastwardly along the center line of Ivy street to its connection with Park avenue; thence eastwardly along the center line of Park avenue to the center line of Walnut street or Allen avenue; thence southwardly along the center line of Walnut street or Allen avenue to the center line of Cary street; thence eastwardly along the center line of Cary street to the center line of Carter street; thence southwardly along the center line of Carter street to the corporation line; thence westwardly along the southern corporation line to the point of the meeting of the western corporation line; thence northwardly following the various directions of the western corporation line to the point of beginning. (May 7, 1907.)

6. *First Precinct, Lee Ward.*—Commencing at the point of intersection of the center lines of Broad and Henry streets; thence southwardly along the center lines of Henry street to the center line of Main street; thence westwardly along the center line of Main street to the center line of Belvidere street; thence northwardly along the center line of Belvidere street to the center line of Franklin street; thence westwardly along the center line of Franklin street to the center line of Laurel street; thence southwardly along the center line of Laurel street to the center line of Park avenue; thence westwardly along the center line of Park avenue to its intersection with the center line of Allen avenue; thence northwardly along the center line of Allen avenue to the center line of Broad street; thence eastwardly along the center line of Broad street to the point of beginning. (January 15, 1909.)

7. *Second Precinct, Lee Ward.*—Commencing at the point of intersection of the center lines of Broad and Monroe streets; thence northwardly along the center line of Monroe street to its intersection with the center line of Brook avenue; thence northwardly along the center line of Brook avenue to the corporation line; thence westwardly and southwardly along the corporation line to the center line of Broad street; thence eastwardly along the center line of Broad street to the point of beginning. (May 7, 1907.)

8. *Third Precinct, Lee Ward.*—Commencing at a point on the western corporation line at its intersection with the north line of Broad street

road; thence eastwardly along the north line of Broad street road and Broad street to the eastern boundary of the old Fair grounds; thence southwardly to the center line of Broad street; thence eastwardly along the center line of Broad street to its intersection with the center line of Allen avenue; thence southwardly along the center line of Allen avenue to the center line of Park avenue; thence westwardly along the center line of Park avenue to its intersection with the center line of Stuart avenue; thence westwardly along the center line of Stuart avenue to the corporation line; thence northwardly along the corporation line to the point of beginning. (January 15, 1909.)

9. *First Precinct, Henry Ward.*—Commencing at a point in James river where the center line of First street projected, intersects the eastern boundary of Monroe ward; thence northwardly and along the center line of First street to the center line of Franklin street; thence westwardly along the center line of Franklin street to the center line of Henry street; thence southwardly along the center line of Henry street to the center line of Main street; thence westwardly along the center line of Main street to the center line of Belvidere street; thence southwardly along the center line of Belvidere street to its terminus, and thence in the same straight line to a point in the eastern boundary of Monroe ward in James river; thence northwardly along the eastern boundary of Monroe ward in James river to the point of beginning. (May 7, 1907.)

10. *Second Precinct, Henry Ward.*—Commencing at the point of intersection of the center lines of First and Franklin streets; thence northwardly along the center line of First street to the center line of Clay street; thence westwardly along the center line of Clay street to the center line of Monroe street; thence southwardly along the center line of Monroe street to the center line of Broad street; thence westwardly along the center line of Broad street to the center line of Henry street; thence southwardly along the center line of Henry street to the center line of Franklin street; thence eastwardly along the center line of Franklin street to the point of beginning. (May 7, 1907.)

11. *Third Precinct, Henry Ward.*—Commencing at the point of intersection of the center lines of First and Clay streets; thence northwardly along the center line of First street to the center line of Jackson street; thence westwardly along the center line of Jackson street to the center line of St. James street; thence northwardly along the center line of St. James street to the corporation line; thence westwardly along the corporation line to the center line of Brook avenue; thence southwardly along the center line of Brook avenue to a point opposite the center line of Monroe street; thence southwardly along the center line of Monroe

street to the center line of Clay street; thence eastwardly along the center line of Clay street to the point of beginning. (May 7, 1907.)

12. *First Precinct, Monroe Ward.*—Commencing at a point in the James river in the center line of First street projected at the intersection with the center line of Fifth street projected; thence northwardly and along the center line of First street to the center line of Main street; thence eastwardly along the center line of Main street to the center line of Fifth street; thence southwardly along the center line of Fifth street to its terminus; and thence by the same straight line to the point of beginning. (May 7, 1907.)

13. *Second Precinct, Monroe Ward.*—Commencing at the point of intersection of the center lines of Main and First streets; thence northwardly along the center line of First street to the center line of Broad street; thence eastwardly along the center line of Broad street to the center line of Fifth street; thence southwardly along the center line of Fifth street to the center line of Main street; thence westwardly along the center line of Main street to the point of beginning. (May 7, 1907.)

14. *Third Precinct, Monroe Ward.*—Commencing at the point of intersection of the center lines of Broad and First streets; thence northwardly along the center line of First street to the center line of Jackson street; thence eastwardly along the center line of Jackson street to the center line of Fifth street; thence southwardly along the center line of Fifth street to the center line of Broad street; thence westwardly along the center line of Broad street to the point of beginning. (May 7, 1907.)

15. *Fourth Precinct, Monroe Ward.*—Commencing at the point of intersection of the center lines of Jackson and Fifth streets; thence westwardly along the center line of Jackson street to the center line of St. James street; thence northwardly along the center line of St. James street to the corporation line; thence eastwardly along the corporation line to a point opposite the center line of Seventh street extended; thence southwardly and along the center line of Seventh street to the center line of Duval street; thence westwardly along the center line of Duval street to the center line of Fifth street; thence southwardly along the center of Fifth street to the point of beginning. (May 7, 1907.)

16. *First Precinct, Madison Ward.*—Commencing at a point at the intersection of the center lines of Marshall and Fifth streets; thence eastwardly along the center line of Marshall street to the center line of Twelfth street; thence northwardly along the center line of Twelfth street to a point opposite the center line of Baker street extended; thence westwardly and along the center line of Baker street to the center line of Seventh street; thence southwardly along the center line of Seventh

street to the center line of Duval street; thence westwardly along the center line of Duval street to the center line of Fifth street; thence southwardly along the center line of Fifth street to the point of beginning. (May 7, 1907.)

17. *Second Precinct, Madison Ward.*—Commencing at a point in the corporation line on the south side of James river in the center line of Fifth street projected; thence northwardly and along the center line of Fifth street to the center line of Marshall street; thence eastwardly along the center line of Marshall street to the center line of Ninth street; thence southwardly along the center line of Ninth street to its terminus, and thence by the same straight line to the corporation line on the southern shore of James river; thence westwardly along the corporation line to the point of beginning. (May 7, 1907.)

18. *Third Precinct, Madison Ward.*—Commencing at a point on the south side of James river on the corporation line in the center line of Ninth street projected; thence northwardly and along the center line of Ninth street to the center line of Marshall street; thence eastwardly along the center line of Marshall street to the center line of Twelfth street; thence southwardly along the center line of Twelfth street to the center line of Broad street; thence eastwardly along the center line of Broad street to a point opposite the center line of Fifteenth street extended; thence southwardly and along the center line of Fifteenth street to its terminus, and thence by the same straight line to the corporation line; thence westwardly along the corporation line on the south side of James river to the point of beginning. (May 7, 1907.)

19. *Fourth Precinct, Madison Ward.*—Commencing at the point of intersection of the center lines of Twelfth and Broad streets; thence northwardly along the center line of Twelfth street to a point opposite the center line of Baker street extended; thence westwardly and along the center line of Baker street to the center line of Seventh street; thence northwardly along the center line of Seventh street to the corporation line; thence eastwardly along and following the various directions of the corporation line to its intersection with the center line of the Mechanicsville turnpike; thence southwardly along the center line of the Mechanicsville turnpike to its juncture with Mosby street; thence continuing southwardly along the center line of Mosby street to the center line of Carrington street; thence westwardly along the center line of Carrington street to a point opposite the center line of Eighteenth street extended; thence southwardly and along the center line of Eighteenth street to the center line of Broad street; thence westwardly along the center line of Broad street to the point of beginning. (May 7, 1907.)

20. *First Precinct, Jefferson Ward.*—Commencing at a point on the corporation line on the south side of James river in the center line of Fifteenth street projected; thence northwardly and along the center line of Fifteenth street to the center line of Broad street; thence eastwardly along the center line of Broad street to the center line of Eighteenth street; thence northwardly along the center line of Eighteenth street to the center line of Carrington street; thence eastwardly along the center line of Carrington street to the center line of Mosby street; thence northwardly along the center line of Mosby street to the center line of O street; thence eastwardly along the center line of O street to its intersection with the center line of Scott street; thence southwardly along the center line of Scott street to its intersection with the center line of Twenty-second street; thence continuing southwardly along the center line of Twenty-second street to the center line of Jefferson avenue; thence westwardly along the center line of Jefferson avenue to the center line of Twenty-first street; thence southwardly along the center line of Twenty-first to the center line of Grace street; thence westwardly along the center line of Grace street to the center line of Twentieth street; thence southwardly along the center line of Twentieth street to its terminus; thence in the same straight line to a point in the corporation line on the south side of James river; thence westwardly along the corporation line to the point of beginning. (May 7, 1907.)

21. *Second Precinct, Jefferson Ward.*—Commencing at a point in the corporation line on the south side of James river in the center line of Twentieth street projected; thence northwardly along the center line of Twentieth street to the center line of Grace street; thence eastwardly along the center line of Grace street to the center line of Twenty-first street; thence northwardly along the center line of Twenty-first street to the center line of Jefferson avenue; thence eastwardly along the center line of Jefferson avenue to its intersection with the center line of Leigh street; thence eastwardly along the center line of Leigh street to the center line of Twenty-seventh street; thence southwardly along the center line of Twenty-seventh street to the center line of Broad street; thence westwardly along the center line of Broad street to the center line of Twenty-sixth street; thence southwardly along the center line of Twenty-sixth street to its terminus, and thence in the same straight line to the corporation line on the south side of James river; thence westwardly along the corporation line to the point of beginning. (May 7, 1907.)

22. *Third Precinct, Jefferson Ward.*—Commencing at the intersection of the center lines of the Mechanicsville turnpike and O street; thence eastwardly along the center line of O street to its intersection with the center line of Scott street; thence southwardly along the center line of

Scott street to its intersection with the center line of Twenty-second street; thence southwardly along the center line of Twenty-second street to the center line of Jefferson avenue; thence eastwardly along the center line of Jefferson avenue to its intersection with the center line of Leigh street; thence eastwardly along the center line of Leigh street to the center line of Twenty-fourth street; thence northwardly along the center line of Twenty-fourth street to the center line of O street; thence westwardly along the center line of O street to the center line of Tulip street; thence northwardly along the center line of Tulip street to its intersection with the center line of Twenty-second street; thence northwardly along the center line of Twenty-second street to the corporation line, thence westwardly along the corporation line to the center line of the Mechanicsville turnpike; thence southwardly along the center line of the Mechanicsville turnpike to the center line of O street, the point of beginning. (May 7, 1907.)

23. *Fourth Precinct, Jefferson Ward.*—Commencing at the intersection of the center lines of Twenty-seventh and Leigh streets; thence westwardly along the center line of Leigh street to the center line of Twenty-fourth street; thence northwardly along the center line of Twenty-fourth street to the center line of O street; thence westwardly along the center line of O street to the center line of Tulip street; thence northwardly along the center line of Tulip street to its intersection with the center line of Twenty-second street; thence northwardly along the center line of Twenty-second street to the corporation line; thence eastwardly along the various courses of the corporation line to the center line of Twenty-seventh street; thence southwardly along the center line of Twenty-seventh street to the center line of Leigh street, the point of beginning. (May 7, 1907.)

24. *First Precinct, Marshall Ward.*—Commencing at a point in the James river where the center line of Pear street intersects the eastern boundary of Jefferson ward; thence northwardly and along the center line of Pear street to the center line of Lester or Rocketts street; thence eastwardly along the center line of Lester or Rocketts street to its intersection with the center line of Williamsburg avenue; thence eastwardly along the center line of Williamsburg avenue to its intersection with the track of the Southern railway (York River line); thence eastwardly along the track of the Southern railway (York River line) to the corporation line; thence southwardly and westwardly along and following the various directions of the corporation line to the point of beginning. (May 7, 1907.)

25. *Second Precinct, Marshall Ward.*—Commencing at a point in James river where the center line of Twenty-sixth street projected, inter-

sects the center line of Pear street projected; thence northwardly and along the center line of Twenty-sixth street to the center line of Broad street; thence eastwardly along the center line of Broad street to the center line of Twenty-seventh street; thence northwardly along the center line of Twenty-seventh street to the center line of Leigh street; thence eastwardly along the center line of Leigh street to the corporation line; thence southwardly along and following the various directions of the corporation line to its intersection with the track of the Southern railway (York River line); thence westwardly along the track of the Southern railway (York River line) to its intersection with the center line of Williamsburg avenue; thence westwardly along the center line of Williamsburg avenue to its intersection with the center line of Lester or Rocketts street; thence westwardly along the center line of Lester or Rocketts street to the center line of Pear street; thence southwardly along the center line of Pear street to its terminus; thence in the same straight line to a point in the James river in the eastern boundary of Jefferson ward (the point of beginning). (May 7, 1907.)

26. *Third Precinct, Marshall Ward.*—Commencing at the point of intersection of the center lines of Leigh and Twenty-seventh streets; thence northwardly along the center line of Twenty-seventh street to the corporation line; thence eastwardly and southwardly along and following the various directions of the corporation line to its intersection with the center line of Leigh street projected; thence westwardly along the center line of Leigh street to the point of beginning. (May 7, 1907.)

27. The voting places in the election precincts of Clay ward are hereby fixed as follows:

CLAY WARD.

First Precinct—No. 617 West Main street.

Second Precinct—No. 219 South Harrison street.

Third Precinct—No. 304 South Laurel Street.

Fourth Precinct—No. 1826 West Cary street. (May 7, 1907.)

28. The voting places in the election precincts of Lee ward are hereby fixed as follows:

LEE WARD.

First Precinct—No. 1201 West Broad street (southwest corner of Broad and Harrison streets).

Second Precinct—No. 608 West Broad street.

Third Precinct—No. 1815 West Broad street, between Allen avenue and Meadow street. (January 15, 1909.)

29. The voting places in the election precincts of Henry ward are hereby fixed as follows:

HENRY WARD.

First Precinct—No. 4 South First street.

Second Precinct—No. 221 West Broad street.

Third Precinct—No. 503 Brook avenue (northeast corner Brook avenue and Clay street). (May 15, 1908.)

30. The voting places in the election precincts of Monroe ward are hereby fixed as follows:

MONROE WARD.

First Precinct—No. 207 East Canal street.

Second Precinct—No. 211 North Third street.

Third Precinct—No. 407 North Third street.

Fourth Precinct—No. 800 North Second street. (May 15, 1908.)

31. The voting places in the election precincts of Madison ward are hereby fixed as follows:

MADISON WARD.

First Precinct—Building at southwest corner of Clay and Eighth streets.

Second Precinct—No. 13 North Seventh street.

Third Precinct—No. 207 Governor street.

Fourth Precinct—No. 600 North Seventeenth street. (May 15, 1908.)

32. The voting places in the election precincts of Jefferson ward are hereby fixed as follows:

JEFFERSON WARD.

First Precinct—No. 24 North Seventeenth street.

Second Precinct—No. 2205 East Main street.

Third Precinct—No. 2306 Church Hill avenue.

Fourth Precinct—Masonic Hall, North Twenty-first street. (May 15, 1908.)

33. The voting places in the election precincts of Marshall ward are hereby fixed as follows:

MARSHALL WARD.

First Precinct—No. 3731 Second street, Fulton.

Second Precinct—No. 2714 East Franklin street.

Third Precinct—No. 701 North Twenty-eighth street. (May 15, 1908.)

34. The voting precincts in Washington ward shall be as follows:

WASHINGTON WARD.

(a) First Precinct—All that portion of Washington ward below or on the eastern side of Eighth street, between the northern and southern corporation lines and James river. Voting place located at No. 521 Hull street.

(b) Second Precinct—All that portion of the said ward lying between the western line of Eighth street and the eastern line of Tenth street, and the southern corporation line south of Hull street, and all that portion of the said ward lying between the western line of Eighth street and the eastern line of Thirteenth street and the northern corporation line north of Hull street. Voting place located at the courthouse.

(c) Third Precinct—All that portion of said ward lying between the southern line of Hull street, the western line of Tenth street and the southern and western corporation lines. Voting place located at B. F. Hamilton's, Eleventh and Hull streets.

(d) Fourth Precinct—All that portion of said ward lying between the northern line of Hull street, the western line of Thirteenth street and the western and northern corporation lines. Voting place located at J. D. Malone's, 1321 Hull street. (March 5, 1910.)

CHAPTER 4.

CONCERNING THE MAYOR.

1. It shall be the duty of the mayor to see that the laws of the State and the ordinances of the city be faithfully executed. He shall exercise a constant supervision and control over the conduct of all subordinate officers, and receive and examine into all complaints against them for neglect of duty. He shall recommend to the council such measures as he shall deem expedient; and, in general, maintain the peace and good order, and advance the prosperity of the city. (Code 1899.)

2. It shall be the duty of the mayor to communicate to the city council annually, as soon as may be after the commencement of the fiscal year, and oftener if he shall deem it expedient, or be required by the city council, a general statement of the situation and condition of the city in relation to its government, finances, and improvement, with such recommendations as he may deem proper. (Code 1899.)

3. It shall be the duty of the mayor in all cases, when he shall suspend or remove a subordinate officer, under the provisions of the constitution of the State, to report the same to the council at their next stated meeting, with his reasons therefor. (Code 1899.)

4. The mayor shall exercise all the powers and authority in criminal cases of a justice of the peace, but he shall receive no fees for such services. He shall also perform such other duties, and exercise such other powers, as are enjoined or conferred upon him by the constitution or laws of the State, or that may be required of him by any ordinance or resolution of the council. (Code 1899.)

5. In case of the absence or inability of the mayor, the president of the board of aldermen shall possess the same powers, and discharge the municipal duties of the mayor during such absence or inability. (Code 1899.)

6. The mayor shall have power to appoint a clerk who shall be a stenographer and shall perform such duties as the mayor may require. The said clerk shall receive a salary not exceeding sixty-five dollars per month. (November 18, 1904.)

CHAPTER 5.

CONCERNING ANNUAL REPORTS, TERMS OF OFFICERS, INELIGIBILITY, AND
FORFEITURES OF OFFICE.

1. The auditor, treasurer, city engineer, superintendent of the gas works, superintendent of the water works, superintendent of public charities, chief engineer of the fire department, superintendent of fire alarm and police telegraph department, collector of city taxes, collector of delinquent city taxes, board of health, superintendent of street cleaning, chief of police, superintendent of public schools, keepers of the city cemeteries, commissioner of the revenue, city gauger and city attorney, and other heads of departments shall each, on or before the 15th day of February in each year, forward to the mayor an annual report of the business transacted in their several departments during the preceding year, together with such recommendations as they respectively deem desirable for the better management and improvement of the business methods of their several departments, and within fifteen days thereafter the mayor shall transmit the same to the city clerk with his annual message, to be laid before the branch of the city council first meeting after the transmission of such message, and unless the body to whom the message and reports are so presented shall order otherwise the same shall stand referred to the committee on printing and claims, who shall cause the said message and reports to be printed and bound under contract within sixty days thereafter. Any person failing to comply with the provisions of this section shall be liable to a fine of not less than twenty-five nor more than fifty dollars, recoverable before the police justice of the city of Richmond, each day's failure to constitute a separate offence. (May 20, 1907.)

2. The official terms of all officers hereafter elected, or appointed by the city council, shall extend from the date of such election or appointment, which shall be made at the first joint meeting in July, or as soon after as practicable to the first day of July in the second year thereafter, or until their successors shall have been elected or appointed and qualified, respectively; except the clerk in the office of the city treasurer, whose term shall extend to the first day of July in the third year thereafter, or until his successor shall have been elected or appointed and qualified; provided, however, that the right of removal from office shall re-

main, in every case, as set forth in the ordinance reserving such right, and in the charter of the city. And every vacancy occurring, whether by removal or otherwise, shall be filled for the unexpired term. (Code 1899.)

3. No person shall be elected or appointed to any office or employment in the service of the city who shall be delinquent in the payment to the city of any bill for taxes, water or gas. (October 15, 1906.)

4. Any person holding any office or post of profit, trust, or emolument, to which he may have been elected under the city charter, by the city council or otherwise, or appointed by any committee thereof, who may be sentenced for felony by any court of this State or of the United States, shall, by such sentence, forfeit his post, and be thenceforth incapable of acting therein under his previous election or appointment. And though a pardon be afterward granted him, such pardon shall not avoid the forfeiture. (Code 1899.)

5. That if any such post, or the deputation thereof, either in whole or in part, shall be sold or let to farm, or contracted to be sold or let to farm, by any person holding or expecting to hold the same, such person, and the person who may buy or take to farm, or contract to buy or take to farm, shall each of them, be forever disabled from holding such post or deputation. (Code 1899.)

6. It shall not be lawful for any salaried officer of the city government, personally or through an agent, to contract for, or sell supplies of food, machinery, or any other article for the use of said city, or to be in any way interested in any such contract. (Code 1899.)

7. Any officer who shall be guilty of violating the last preceding section, shall be fined not less than one hundred nor more than five hundred dollars, and shall be deemed guilty of misconduct in office, and removed therefrom. (Code 1899.)

8. That no member of the board of aldermen, or member of the common council of the city of Richmond, after his election and during his continuance in office, and no head of a department, or other officer or clerk, of or under the city government, shall receive, or agree to receive, any compensation whatever, directly or indirectly, for any services rendered, or to be rendered, to any person, either by himself or another, in relation to any proceeding, contract, claim, controversy, charge, accusation, prosecution, arrest, or other matter or thing in which the city of Richmond is a party, or is directly or indirectly interested, before the council of the city of Richmond, or either branch thereof, or any committee thereof, or any department, any municipal board, bureau, or officer thereof. Every person offending against this section shall be liable to a fine of not less than twenty-five nor more than five hundred dollars, recoverable before the police justice of the city of Richmond. (August 13, 1910.)

CHAPTER 6.

CONCERNING OFFICIAL OATHS AND BONDS, AND THE SEAL OF THE CITY.

1. Every person elected to the office of mayor of the city or member of the council, shall, in accordance with the laws of this State, take the following oaths before entering upon the duties of his office: "I, _____, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of Virginia ordained by the convention which assembled in the city of Richmond on the twelfth day of June, nineteen hundred and one, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as _____ according to the best of my ability. So help me God." (Virginia Code 1904, section 168.)

Such person shall also, at the same time, take and subscribe the following oath: "I swear that I have not, while a citizen of this State, since the tenth day of July, nineteen hundred and two, fought a duel with a deadly weapon, or sent or accepted a challenge to fight a duel with a deadly weapon, either within or beyond the boundaries of this State, or knowingly conveyed such challenge, or aided or assisted in any manner in fighting such duel; and that I will not fight a duel with a deadly weapon, or send or accept a challenge to fight a duel with a deadly weapon, either within or beyond the boundaries of this State, or knowingly convey such challenge, or aid or assist in any manner in fighting such duel during my continuance in office. So help me God." (Virginia Code 1904, section 169.)

Such oath may be administered to the mayor-elect by any judge of a court of record, commissioned to hold any such court within said city; and to the members of the city council by the mayor, being himself first sworn as aforesaid, or by any judge of any court of record, as aforesaid; and certificates of such oath having been respectively taken, shall be filed with the city clerk, and entered upon the journal of the city council. (Code 1899.)

2. Every other person elected or appointed to any office under the charter of the city, or under any law or ordinance of the city council, shall, before he enters upon the duties of said office, take and subscribe said oath, and such other oaths as may be prescribed by law or ordinance, before the mayor or city clerk, the said clerk having himself been first

sworn by said mayor, or a judge of a court of record, as aforesaid; and a certificate of the same shall be filed in the office of said city clerk. (Code 1899.)

3. If any person required to take oath shall declare that he has religious scruples as to the propriety of taking an oath, he may make a solemn affirmation, which shall have in all respects the same effect as an oath. (Code 1899.)

4. If any person elected or appointed as aforesaid to any office in this city, shall act in his office before taking the oath herein prescribed, and such other oath or oaths as may be prescribed in qualification for such office by law or by ordinance of the council, and filing a certificate thereof with the city clerk, he shall pay a fine of not less than one nor more than twenty dollars for each day on which he so acts. (Code 1899.)

5. If any person elected or appointed to any office in this city, shall neglect to take such oath or oaths for forty days after receiving notice of his election or appointment, or shall neglect for the like space of time to give such securities as may be required of him by the city council, as provided in the charter, or may be hereafter required by any law or ordinance, he shall be considered as having declined such office, and the same shall be deemed vacant; and whenever any such vacancy shall occur, another election shall be ordered, or another appointment made, according to the direction of the charter. (Code 1899.)

6. Every bond required by an ordinance, to be taken or approved by the city council, or any body or person acting under the authority of the city government, shall, unless otherwise provided, be made payable to "The City of Richmond," with surety deemed sufficient by the body or person before whom it is taken. Every such bond, required of any person elected or appointed to any office, post, or trust, shall, unless otherwise provided, be with condition for the faithful discharge by him of the duties of his office or trust; and, unless otherwise directed or authorized by the city council, shall be returned to the city clerk, and preserved by him.

a. All city officials or employees required by the city charter or any city ordinance to give an official bond, shall furnish as surety thereon some trust or guarantee company either having its principal office in the city of Richmond, or having placed with the proper State official under some statute a deposit for the protection and payment of its liabilities under contracts made in the State of Virginia. Such company shall be satisfactory to the committee or city official required to pass upon such bonds respectively.

b. All persons, firms or corporations required by the city charter or any city ordinance to give any bond in excess of five hundred dollars for

the faithful compliance with any contract made with the city of Richmond, shall furnish as surety on such bond some trust or guarantee company, either having its principal office in the city of Richmond, or some such company that has placed with the proper State officials under some statute, a deposit for the protection and payment of its liabilities under contracts made in the State of Virginia. Such company shall be satisfactory to the committee or the city official required to pass upon such bonds respectively.

c. Whenever there is required by any ordinance of the city a bond for the faithful performance of duty or conditioned upon complying with the requirements of the city ordinances that furnishing a bond issued in good faith by any guarantee or surety company licensed to do business in the city of Richmond shall be considered to meet all the requirements of the ordinance or ordinances when said bond is acceptable to the officer designated to receive, hold or pass upon same. (February 10, 1908.)

d. All official bonds of officers, clerks or employees of the city required by ordinance shall be made in conformity to ordinance, and after completion and execution shall be submitted to the city attorney for his approval, and then filed with the city clerk. It shall be the duty of the city clerk before receiving any official bond to require the approval of the city attorney to be endorsed thereon. All bonds received by the city clerk must be by him presented to the common council for reference to the committee on finance for examination and report and final approval or rejection by the council. (Code 1899.)

7. From and after the 1st day of October, 1908, the seal of the city of Richmond shall be represented by a design, within a circle one and three-fourths inches in diameter, which shall represent a female figure typifying robed justice, bearing scales in the left hand and carrying a drawn sword in the right hand; the inner and upper semi-circle to contain the motto "SIG ITUR AD ASTRA," in Roman characters; and under the figure, in smaller Roman character, the words "CITY OF RICHMOND, JULY 19TH, 1789"; being the seal in use by the city previous to October, 1872, and essentially as the impression hereupon now made from the die in the possession of the city treasurer. (August 17, 1908.)

8. From and after the date named in the seventh section, no other design or seal shall be used for the city of Richmond, and no paper issued with municipal authority, which requires the seal of the city, shall be valid, unless the seal described in the foregoing section shall be affixed to the same. (Code 1899.)

CHAPTER 7.

CONCERNING THE SEVERAL DEPARTMENTS OF THE CITY GOVERNMENT AND
THE COMMITTEES THEREOF.

1. The office of the several departments of the city shall be kept open for the transaction of business between the hours of 9 A. M. and 6 P. M. daily, excepting on Sundays and holidays, during which time all officers and employees shall be in attendance at the office unless otherwise employed in the city's business. This shall not apply to the following officers: Mayor, city attorney, city auditor, city treasurer. The offices of the water department, and inspector of gas in the city hall, shall be kept open for the transaction of business, between the hours of 8 A. M. and 5 P. M. daily, except on Sundays and holidays (Code 1899); provided, however, that the offices of the several departments shall close on Saturdays at 1 P. M., and this shall include the hands of all the departments so far as it does not conflict with the interest of the city. (December 31, 1901.)

No salaried city officer or employee shall engage in private work or business within the hours prescribed for city work, except under special direction of the city council authorizing service to public or private institutions; provided, this shall not apply to the following: City attorney, president board of health, members of board of health and physicians to the poor. (Code 1899.)

2. That there shall be elected by the common council and board of aldermen in joint session on the 27th day of May, 1895, or as soon thereafter as may be convenient, and in the month of July thereafter every alternate year when the other city officers are elected by the joint session, a clerk of the following committees: Relief of poor, cemeteries, ordinances, charter and reform, markets, St. John's burying ground, improvement of James river and electricity, all special committees, board of public interests, and such other committees as may hereafter be determined. That he shall attend the meetings of the said committees in person, and keep, in books provided for the purpose, a written record of the proceedings of said committees, and shall perform such other duties as may be required of him by the committees or chairmen thereof. He shall, also, in the absence or disability of the city clerk, perform the duties of that officer. He shall devote all of his time to the discharge of said duties, and shall remain daily between the hours of 9 A. M. and

3 P. M. in room No. 311, third floor, city hall. He shall be paid a salary of eighteen hundred dollars per annum in monthly instalments. (Code 1899.)

3. It shall not be lawful for the clerk of any committee of the council to certify, or the chairman of any committee to sign, any warrant on the treasurer in excess of the appropriation to the credit of the committee. It shall not be lawful for the secretary of any board or commission or the president thereof to certify or sign any warrant on the treasury in excess of the appropriation to the credit of the board or commission. It shall be the duty of the clerk of every committee of the council and of the secretary of every board or commission of the city government to show accurately on the minutes of each meeting of the committee, board or commission, as the case may be, the amount of the annual appropriation at its command, the amount already expended, the amount of bills approved and the balance to the credit of the committee, board or commission. Code 1899.)

4. Hereafter before any bids for city work or supplies shall be considered, the committee having charge of the same may require, if they deem it necessary, the person so bidding to accompany his offer with a certified check, payable to the order of the chairman of said committee for five per cent. or more of the amount of the contract. After the award of the committee shall have been made, it shall be the duty of the clerk of the committee to return to the unsuccessful bidders the checks so furnished by them respectively; provided, that this section shall not apply to the committees on relief of the poor and water. (Code 1899.)

5. No work ordered by the city of Richmond shall be awarded to any contractor (or contractors) who employs convicts to do such work. (Code 1899.)

6. The several departments of the city government shall pay for all gas consumed in their respective departments out of the annual appropriation to the credit of said departments, and these accounts shall be carried on the books of the auditor as all other accounts are now kept. (Code 1899.)

7. That all persons employed by the city as laborers be paid their wages semi-monthly—on the first and fifteenth of each month, or as near that time as possible. That the auditor and head of each department be, and are hereby, instructed not to accept an order for the pay of any officer or employee of the city government for the salary or wages of said officer or employee. That any officer or employee who shall sell his salary or wages or give an order for the same, shall, for the first offence, be suspended from duty fifteen days. And for the second offence he shall be dismissed from the service of the city. (Code 1899.)

8. There shall be elected by the committee on finance of the city council during the month of January, 1896, a person to fill the office herein designated as the office of special accountant, who shall perform the duties attached to that office. He shall hold office until the first day of July, 1897, and until his successor shall duly qualify. There shall be elected in June, 1897, by the committee on finance of the city council, and every two years thereafter, a person to fill said office for a term of two years. Such officer shall, before entering upon the duties of his office, give bond in the sum of five thousand dollars, satisfactory to the mayor and city attorney, for the faithful performance of said duties, to be filed in the office of city clerk. His salary shall be twenty-two hundred dollars per annum, payable monthly. (July 20, 1910.)

9. Such officer shall be removable from office at the will of the committee on finance without assigning any cause therefor. In case of a vacancy in said office caused by removal, resignation or death, the said committee are empowered to fill such vacancy for the unexpired term. (Code 1899.)

10. He shall make and report to the committee on finance, under its instruction or that of its chairman, an examination into the books, accounts and affairs of any department of the city government, or of any board, committee or institution to which the city council may make an appropriation, whenever required by said committee or its chairman. Such report shall always be in writing, and shall be forwarded by said committee to the city council within thirty days after its receipt. Each and every officer in any department of the city government, or of any board, committee or institution sharing in any appropriation, shall always give said accountant full and free access to all books, papers and accounts pertaining to his department whenever said accountant shall have been required by said committee or its chairman to examine into the condition of such department. Said accountant shall attend all meetings of the committee on finance and perform such other duties pertaining to the work of an accountant as said committee or chairman shall require. (January 14, 1895.)

11. The said committee shall require said accountant, after his qualification, to proceed to examine into the books, papers, accounts and affairs of the different departments of the city government in such order as the committee may designate. Whenever he shall have completed such examinations into the several departments it shall then be the duty of said committee to require him to make further examinations into such departments as said committee may from time to time designate, but in such order, that an examination shall be made into each department once every six months. (Code 1899.)

12. It shall be the duty of the auditor of the city, and of every clerk, secretary, paymaster, or other person who disburses money for the city on account of salaries, wages, pay-rolls, commissions or other remuneration for services rendered the city, on the first pay-day of July, 1897, and on the first pay-day of July of each year thereafter, to require each person entitled to payment of money on account of salary, wages, commission, or other remuneration for services, first to exhibit a receipt in full from the collector of taxes for his or their taxes due the city for the previous year, and to refuse payment until the receipt is exhibited. The auditor, and any clerk, secretary, paymaster, or other person representing the city, or any department thereof, or any board of commissioners for the city, who shall pay out any money for salaries, wages, commissions or other remuneration for services rendered the city, without the exhibition of the tax receipt for the preceding year, and in violation of this ordinance, shall be held liable for the amount of the taxes due and unpaid by the person or persons who have been paid without the exhibition of their or his receipt. The auditor and every clerk, secretary, paymaster or other person who disburses money for the city shall post and keep posted in his office a printed copy of this ordinance. (Code 1899.)

13. That any person, persons, firm or corporation hereafter applying for a franchise to use the streets of this city for any purpose, shall, before said application shall be considered by the council, deposit with the treasurer of the city a bond or bonds of the United States, or of the city of Richmond, of the face value of not less than \$10,000, the same to be forfeited to the city in the event that the party or parties to whom said privilege or privileges, may be granted shall not accept the same and within the time fixed by the city council commence and finish the work which may be required to be done by them under such charter; otherwise to be returned to such depositor. (Code 1899.)

14. (A). That the president of the board of aldermen and the president of the common council shall, respectively, as soon as practicable after the organization of their respective bodies, appoint the following joint standing committees:

A committee on streets, which shall consist of a member from each branch from each ward.

The following committees, which shall each consist of twelve members, five from the board of aldermen and seven from the common council:

Committee on finance.

Committee on light.

Committee on electricity.

Committee on water.

Committee on relief of the poor.

Committee on street cleaning.

Committee on grounds and buildings.

Committee on ordinances, charter and reform.

Committee on local assessments. (Rules of Council May, 1910.)

(B). The following committees, which shall each consist of nine members, four from the board of aldermen and five from the common council:

Committee on printing and claims.

Committee on markets. (April 20, 1908.)

(C). A committee on cemeteries, which shall consist of ten members, four from the board of aldermen and six from the common council. (Rules of Council, May, 1910.)

(D). A committee on St. John's burying ground, which shall consist of five members, two from the board of aldermen and three from the common council. (November 17, 1906.)

15. The committee on improvement of James river shall be constituted as follows: The president of the board of aldermen shall appoint three members of that body, and the president of the common council shall appoint five members of that body, and these members of the council, together with the president of each branch of the council, with seven citizens who are not members of the council, who shall be elected for the purpose by the chamber of commerce in the month of July after the organization of the new city council. (June 13, 1902.)

16. The board of public interests shall be constituted as follows: The president of the board of aldermen shall appoint two members of that body, and the president of the common council shall appoint three members of that body; and the board of aldermen shall elect two members and the common council shall elect three members, who are not members of the city council, and the president of the common council. The president of the common council shall be chairman ex-officio. (June 13, 1902.)

17. It shall be the duty of said board to take into consideration all works of internal improvements in existence, or which may be projected from time to time; to look after the commercial, industrial and manufacturing interests of the city; to watch over and take care of its connections, means of transportation and communication with the rest of the country, and to make such reports and recommendations to the city council as will, in their opinion, best subserve the different interests of the city of Richmond. (Code 1899.)

18. There shall be a meeting of this board at least once a month, and as much oftener as it shall deem proper. (Code 1899.)

19. In case of any vacancy in the board from any cause, it shall be filled by the board from the class in which the vacancy occurred. (Code 1899.)

20. The committee on ordinances, charter and reform, consisting of twelve members of the city council, whose duty it shall be to inquire into any branch of the city service, the duties of officers, and all other matters connected with the same as expressed in the ordinances, and with the expenditures of the money of the city; and to report as often as they think proper, making such recommendations in the amendment of the ordinances, or in the duties of officers and employees, as they may deem necessary to secure the faithful performance of duties required, or such changes in their requirements as may be beneficial to the city and conducive to the economical administration of the government of the city. (Code 1899.)

21. The chairman of the committee on finance shall, ex-officio, be a member of all joint standing committees, entitled to all the privileges of any other member, except the right to vote; provided, however, that a member of the committee on finance shall not be eligible to appointment on any other joint standing committee. (Rules of Council May, 1910.)

22. To constitute a quorum of any of the foregoing committees, a majority of all the members thereof must be present, except the committee on local assessments, of which committee five members shall constitute a quorum, but must include two members of the board of aldermen and three members of the common council. (June 13, 1902.)

23. That the heads of the various departments of the city government be, and they are hereby, directed to take an inventory annually of all stocks of supplies, materials, tools, implements, vehicles, animals, and other assets of the city, appertaining to their departments, and present same to the committee on finance, along with their lists of requirements for the ensuing year. This inventory to be as of January 1st of each year, and is to embrace a list of contracts made for materials and supplies contracted for and not actually delivered on that date. (January 14, 1905.)

24. That it shall be the duty of the head of each department of the city government to have all ordinances now in force, or that may hereafter be passed, and all resolutions that may hereafter be passed relating to their several departments, filed and indexed so as to be easily accessible for reference to the officers and employees of their department, or other officers having business with their department. Any person violating the foregoing requirement shall be liable to a fine of not less than ten nor more than one hundred dollars, recoverable before the police justice of the city of Richmond. (June 18, 1906.)

25. That an employee of the city of Richmond who shall fail to pay and satisfy any judgment obtained against him on a debt contracted since he was an employee of the city, and as a result a garnishee summons shall be served upon the city of Richmond, or any officer thereof, to compel the payment of such judgment, shall be, by the committee or other appointing power of such employee, suspended without pay for a period of ten days, and in case of a second failure, which shall cause the service of a second garnishee or notice within the next ensuing twelve months, such employee shall be dismissed from the service of the city. (May 17, 1909.)

CHAPTER 8.

CONCERNING THE SALARY OF OFFICERS AND THE COMPENSATION OR
WAGES OF EMPLOYEES.

1. That in the executive department of the city government the officers shall receive the salaries, and the employees the compensation, as follows:

EXECUTIVE DEPARTMENT.

- (1) The mayor of the city, \$3,600.00 per annum.
- (2) Stenographer and typewriter to the mayor, \$780.00 per annum.
- (3) The city treasurer, \$2,040.00 per annum.
- (4) The clerk to the city treasurer, \$2,000.00 per annum.
- (5) Two assistants to the city treasurer, \$1,200.00 each per annum.
- (6) One assistant to the city treasurer, \$780.00 per annum.
- (7) The auditor, \$2,400.00 per annum.
- (8) Clerk to the auditor, \$1,525.00 per annum.
- (9) First assistant to the auditor, \$1,080.00 per annum.
- (10) Second assistant to the auditor, \$1,000.00 per annum.
- (11) Special accountant and clerk of finance committee, \$2,500.00 per annum.
- (12) Clerk of special assessments, \$1,350.00 per annum.
- (13) Harbor master, \$600.00 per annum.
- (14) Building inspector, \$2,500.00 per annum.
- (15) Three assistant building inspectors, \$1,200.00 per annum each.
- (16) Clerk in building inspector's office, \$1,000.00 per annum.
- (17) Nurse John Marshall high school, \$60.00 per month, nine months.
- (18) Inspector of weights and measures, \$600.00 per annum.
- (19) City attorney, \$5,000.00 per annum.
- (20) Assistant city attorney, \$2,400.00 per annum.
- (21) Clerk and stenographer to city attorney, \$960.00 per annum.
- (21a) Superintendent public schools, \$960.00 per annum, paid by city.

Water Works.

- (22) Superintendent of the water works, \$3,000.00 per annum.
- (23) First assistant superintendent of the water works, \$1,600.00 per annum.

(24) Second assistant superintendent of the water works, \$1,080.00 per annum.

(25) Superintendent of the pump-house, \$1,650.00 per annum.

(26) Chief clerk, \$1,150.00 per annum.

(27) Assistant clerk and stenographer, \$1,050.00 per annum.

(28) Two bill clerks, \$900.00 per annum each.

(29) Assistant clerk (Washington ward), \$900.00 per annum.

(30) Four messengers at \$2.75 per day each.

(31) Five inspectors and meter readers at \$2.75 per day each.

(32) Foreman of tapping force at \$3.50 per day.

(33) Foreman of pump-houses, \$2.75 per day.

(34) Foreman of pipe-laying force, \$4.00 per day.

(35) Other pumpmen at \$2.50 per day each.

(36) Keeper New Reservoir, \$780.00 per annum.

(37) Pipe-laying force at \$2.50 per day each.

(38) Keeper Marshall Reservoir and valveman, \$900.00 per annum.

(39) Plumbers at \$3.50 per day each.

(40) Laborers at Marshall and New Reservoirs, \$2.00 per day.

(41) Director of settling basin and laboratory, \$1,500.00 per annum.

(42) Meter repairers, water department, \$2.50 per day.

Gas Works.

(43) Superintendent gas works, \$3,000.00 per annum.

(44) Gas inspector, \$1,750.00 per annum.

(45) Meter bill clerk, \$1,200.00 per annum.

(46) Ten deputy gas inspectors, \$1,080.00 per annum each.

(47) Ten lamp lighters at \$45.00 per month each.

(48) Foreman lower gas works, \$1,500.00 per annum.

(49) Bookkeeper lower gas works, \$1,350.00 per annum.

(50) Foreman upper gas works, \$1,200.00 per annum.

(51) Clerk to inspector of gas, \$1,080.00 per annum.

(52) Lamp repairer, \$2.50 per day.

(53) Engineers in gas works, \$3.00 per day each.

(54) Three foremen pipe-laying force, \$3.50 per day each.

(55) Assistant foremen and weighmaster, \$3.00 per day.

(56) Meter repairers, \$3.00 per day.

(57) Servicemen, \$2.50 per day.

(58) Bricklayers, \$3.00 per day.

(59) Two meter setters, \$2.75 per day.

(60) Two stove setters, \$2.75 per day.

(61) Carpenter, \$3.00 per day.

- (62) Valvemen, \$3.00 each per day.
- (63) Blacksmith, \$3.00 per day.
- (64) Other employees, \$2.25 per day.
- (65) Night foreman, \$3.00 per day.
- (66) Machinists, \$3.00 per day.

Street Improvement.

- (67) City engineer, \$4,500.00 per annum.
- (68) First assistant city engineer, \$2,000.00 per annum.
- (69) Second assistant city engineer, \$2,000.00 per annum.
- (70) Third assistant city engineer, \$1,750.00 per annum.
- (71) Fourth assistant city engineer, \$1,200.00 per annum.
- (72) Clerk in the city engineer's office, \$1,500.00 per annum.
- (73) Bookkeeper and clerk of the committee on streets, \$1,350.00 per annum.
- (74) Stenographer, \$990.00 per annum.
- (75) Rodman, \$720.00 per annum.
- (76) Draughtsman, \$1,200.00 per annum.
- (77) Clerk to the bookkeeper, \$600.00 per annum.
- (78) Inspector of paving, \$3.25 per day.
- (79) Inspector of sewers and street paving, \$1,200.00 per annum.
- (80) Foreman of sewer repair force, \$2.50 per day.
- (81) Employees in the street department, \$2.00 per day each.
- (82) Two engineers and surveyors, \$1,500.00 per annum each.
- (83) Extra engineer (Washington ward), \$1,300.00 per annum.
- (84) Night watchman street stables, \$2.00 per day.

Grounds and Buildings.

- (85) Two engineers and machinists in the city hall, \$1,200.00 per annum each.
- (86) Two firemen in the city hall, \$780.00 per annum each.
- (87) Three elevator men in the city hall, \$720.00 per annum each.
- (88) Seven janitors in the city hall, \$660.00 per annum each.
- (89) Two watchmen in the city hall, \$780.00 per annum each.
- (90) Janitor at the Howitzers armory, \$660.00 per annum.
- (91) Janitor at regimental armory, \$840.00 per annum.
- (92) Janitor at R. L. I. B. armory, \$840.00 per annum.
- (93) Custodian of the city auditorium, \$600.00 per annum.
- (94) Keeper Riverside park, \$900.00 per annum.
- (95) Keeper Chimborazo park, \$900.00 per annum.

- (96) Keeper Jefferson park, \$900.00 per annum.
- (97) Keeper Marshall park, \$900.00 per annum.
- (98) Keeper Gamble's Hill park, \$900.00 per annum.
- (99) Keeper Monroe park, \$1,020.00 per annum.
- (100) Keeper Reservoir park, \$1,200.00 per annum.
- (101) City nurseryman, \$900.00 per annum.
- (102) Park employees, \$2.00 per day each.
- (103) Keeper Monument avenue grass plots, \$900.00 per annum.

Care of the Poor.

- (104) Superintendent city home, \$1,500.00 per annum.
- (105) First assistant superintendent city home, \$1,200.00 per annum.
- (106) Second assistant superintendent, \$900.00 per annum.
- (107) Steward city home, \$1,080.00.
- (108) Matron (white) city home, \$510.00 per annum.
- (109) Engineer city home, \$1,080.00 per annum.
- (110) Baker city home, \$740.00 per annum.
- (111) Cook city home, \$180.00 per annum.
- (112) Two nurses, \$780.00 per annum.
- (113) Four white nurses, \$240.00 per annum each.
- (114) Two white nurses, \$120.00 per annum each.
- (115) Wagon driver, \$180.00 per annum.
- (116) Matron colored home, \$510.00 per annum.
- (117) Four nurses colored home, \$240.00 per annum.
- (118) Two nurses colored home, \$120.00 per annum each.
- (119) Night watchman, \$60.00 per annum.
- (120) Four resident physicians, \$240.00 per annum each.
- (121) Two ambulance drivers, \$960.00 per annum each.
- (123) Cook, \$120.00 per annum.
- (124) Clerk outdoor poor, \$600.00 per annum.
- (125) Visitor outdoor poor, \$45.00 per month from December to April, inclusive.

Cemeteries.

- (126) Keeper of Riverview cemetery, \$900.00 per annum.
- (127) Keeper Oakwood cemetery, \$900.00 per annum.
- (128) Keeper St. John's burying ground, \$720.00 per annum.
- (129) Keeper of Maury and Mt. Olivet cemeteries, \$900.00 per annum.
- (130) Cemetery employees, \$2.00 per day each.
- (131) Extra employees, \$2.00 per day.

Street Cleaning.

(132) Superintendent street cleaning department, \$2,000.00 per annum.

(133) Assistant superintendent street cleaning department, \$900.00 per annum.

(134) Clerk in the street cleaning department, \$900.00 per annum.

(135) Night watchman street cleaning department, \$2.50 per day.

(136) Employees in the street cleaning department, \$2.00 per day.

(137) Two foremen at crematory, \$2.50 per day each.

(138) Guards for vagrants, \$1.50 per day each.

(139) Poundmaster, \$900.00 per annum.

Sanitation.

(140) Chief health officer, \$3,000.00 per annum.

(141) Medical inspector, \$1,500.00 per annum.

(142) Inspector of plumbing, \$1,400.00 per annum.

(143) Chemist, \$2,000.00 per annum.

(144) Assistant inspector of plumbing, \$1,000.00 per annum.

(145) Registrar of vital statistics, \$1,200.00 per annum.

(146) Stenographer, \$600.00 per annum.

(147) Clerk to board of health, \$900.00 per annum.

(148) Four sanitary inspectors, \$900.00 per annum each.

(149) Seven district physicians, \$900.00 per annum each.

(150) City bacteriologist, \$900.00 per annum.

(151) Fumigator, \$900.00 per annum.

(152) Food inspector, \$900.00 per annum.

(153) One assistant food inspector, \$900.00 per annum.

(154) One assistant food inspector, \$720.00 per annum.

(155) Two members plumbers' examining board, \$50.00 per annum each.

Markets.

(156) Two clerks first and second markets, \$900.00 per annum each.

(157) Weighmaster first market, \$720.00 per annum.

(160) Market employees, \$1.75 per day each.

(161) Extra employees, \$1.50 per day each.

James River Improvement.

- (162) Captain of city tug, \$1,200.00 per annum.
- (163) Mate city tug, \$600.00 per annum.
- (164) Engineer tug, \$1,020.00 per annum.
- (165) Fireman tug, \$600.00 per annum.
- (166) Engineer city dredge, \$1,200.00 per annum.
- (167) Firemen dredge, \$600.00 per annum.
- (168) Dipper tender dredge, \$600.00 per annum.
- (169) Deck hands tug and dredge, \$540.00 per annum.

Police.

- (170) Chief of police, \$2,000.00 per annum.
- (171) Captains of police, \$1,300.00 per annum.
- (172) Sergeants and probation officer, \$1,100.00 per annum.
- (173) Privates, per day, \$2.75 each.
- (174) Secretary of board police commissioners, \$1,200.00 per annum.
- (175) Janitors, \$600.00 per annum each.
- (176) Lineman, \$900.00 per annum.
- (177) Patrol drivers, \$720.00 per annum each.
- (178) Matron city jail, \$600.00 per annum.
- (179) Machinists, \$900.00 per annum.

Fire.

- (180) Chief of fire department, \$2,200.00 per annum.
- (181) First and second assistants to the chief, \$1,500.00 per annum each.
- (182) Secretary of the board of fire commissioners and fire department, \$1,500.00 per annum.
- (183) Machinist, \$1,200.00 per annum.
- (184) Superintendent fire alarm and police telegraph, \$1,800.00 per annum.
- (185) Assistant superintendent fire alarm, \$1,200.00 per annum.
- (186) Four operators and inspectors fire alarm department, \$1,000.00 per annum each.
- (187) Station captains, \$1,100.00 per annum each.
- (188) Enginemen, \$1,080.00 per annum.
- (189) Firemen class "A," \$990.00 per annum.
- (190) Firemen class "B," \$924.00 per annum.
- (191) Firemen class "C," \$264.00 per annum.

(192) City electrician, \$700.00 per annum.

(193) Two electrical inspectors, \$1,080.00 per annum each.

2. That in the legislative department of the city government the officers shall receive the salaries and the employees the compensation, as follows:

LEGISLATIVE DEPARTMENT.

(1) The city clerk, \$1,800.00 per annum.

(2) Clerk to the board of aldermen, \$540.00 per annum.

(3) Sergeant-at-arms of the city council, \$1,800.00 per annum.

(4) Clerk of council committees, \$1,800.00 per annum.

(5) Clerk of committee on printing and claims, \$240.00 per annum.

(6) Clerk to the committee on light, \$100.00 per annum.

(7) Secretary of electoral board, \$100.00 per annum.

3. That in the judicial department of the city government the officers shall receive the salaries, and the employees the compensation, as follows:

JUDICIAL DEPARTMENT.

(1) Judge of the hustings court, \$2,750.00 per annum (\$1,000.00 paid directly by city and \$1,750.00 paid into State treasury).

(2) Judge of the hustings court, part II, \$2,750.00 per annum (\$1,000.00 paid directly by the city and \$1,750.00 paid into State treasury).

(3) Judge of the law and equity court, \$2,750.00 per annum (\$1,000.00 paid directly by city and \$1,750.00 paid into State treasury).

(4) Judge of the chancery court, \$2,750.00 per annum (\$1,000.00 paid directly by city and \$1,750.00 paid into State treasury).

(5) Judge of the circuit court, \$500.00 per annum.

(6) Civil justice, \$3,000.00 per annum.

(7) Police justice, \$2,650.00 per annum.

(8) City coroner, \$2,250.00 per annum.

(9) Clerk of the hustings court, \$500.00 per annum.

(10) Clerk of the hustings court, part II, \$1,800.00 per annum.

(11) Clerk of the law and equity court, \$750.00 per annum.

(12) Clerk of the circuit court, \$360.00 per annum.

(13) Clerk to the police justice, \$1,200.00 per annum.

(14) Bailiff civil justice court, \$900.00 per annum.

(15) Bailiff to police court, \$2.50 per day.

(16) Commonwealth's attorney, \$1,000.00 per annum.

- (17) Assistant Commonwealth's attorney, \$660.00 per annum.
- (18) Janitors hustings court, law and equity court and circuit court, \$600.00 per annum.
- (19) Janitor chancery court, \$768.00 per annum.
- (20) Judge of police court, part II, \$1,000.00 per annum.

4. Under the terms of the ordinance of annexation of the city of Manchester, approved March 5, 1910, the following officers are continued until the expiration of their terms at the salaries as follows:

- (1) Deputy city treasurer, \$2,920.00 per annum.
- (2) Deputy commissioner of the revenue, \$1,800.00 per annum.
- (3) Sergeant hustings court, part II, \$1,590.00 per annum.
- (4) Assistant city auditor, \$925.00 per annum.

5. The officers of the city shall be paid monthly, except the commissioner of the revenue, who shall be paid as provided by the ordinance concerning the assessment of taxes. (Code 1899.)

6. A person elected to any office under the charter of the city, who may be prevented from qualifying at the usual time, by a contested election, shall, upon being declared duly elected and qualifying, be entitled to the salary from the time when he would have entered upon his office if there had been no contest. (Code 1899.)

7. All other officers and employes of the city shall receive the salaries or compensation provided by the ordinances of the city or resolution of the city council. (Code 1899.)

CHAPTER 9.

CONCERNING THE CITY CLERK AND ENROLLMENT OF ORDINANCES.

1. There shall be a city clerk, who shall be appointed by the city council, and shall hold his office for the period of two years, and until his successor shall be appointed and qualify, unless sooner removed from office by the council. He shall in his office, file all papers, and preserve all books and papers which, by the provisions of the ordinances, or by the direction of the city council, or either of its branches, are required to be filed with or kept by him. (Code 1899.)

2. He shall attend the meetings of the common council, and enter correctly its proceedings, and in a book kept for the purpose, record all the ordinances. The book of such proceedings and the book of ordinances, shall be kept by him, with indexes referring to the different matters therein, and they shall be open at all times to the inspection of any member of the city council. He shall act as clerk to such committees of the council as shall require such service; and no committee shall appoint any clerk or other assistant without the consent of the city council. He shall make copies of or extracts from anything in said books when and as often as he may be required so to do by either branch of the council, or by either president, or any chairman of any committee. He may also make like copies of extracts, upon the request of any other person desiring the same, and may demand and receive from such other person a reasonable compensation therefor. (Code 1899.)

3. The style in which ordinances shall be passed shall be: Be it ordained by the council of the city of Richmond; that in which joint resolutions shall be passed shall be: Be it resolved by the council of the city of Richmond (the board of aldermen, or the common council, as the case may be, concurring). A joint resolution shall always provide for the concurrence of the other branch of the council from that in which it is introduced; and all other resolutions shall be considered as referring only to that branch in which they originated and are passed. (Code 1899.)

4. As soon as any ordinance or joint resolution shall have passed both branches of the city council, it shall be enrolled by the city clerk, with his certificate of the date of its passage, on large folio record paper, which he shall procure and keep on hand for the purpose, and shall then be signed first by the president of the branch in which it originated, and

then by the president of the other branch, and every ordinance and every resolution having the effect of an ordinance so enrolled, certified and signed shall be then submitted by the clerk to the mayor for his signature. The return of any ordinance or joint resolution by the mayor to the clerk of the body in which it originated, within five days after it has been thus submitted to him, shall be considered the return of the same to the body itself within five days, as provided by law. If the mayor shall sign the same, the city clerk shall file the same away, and communicate the fact of the signature thereto to the branch in which it originated, in writing. If such ordinance or joint resolution be refused signature by the mayor, and afterward be passed over his veto, or if it become law by virtue of not having been returned within five days, then it shall be the duty of the city clerk to append a certificate of such fact to said ordinance or joint resolution; which certificate shall be signed by the presidents of the two branches and the city clerk, and shall be filed with the other ordinances and joint resolutions which have become laws. (July 19, 1907.)

5. The city clerk shall keep an index of all such ordinances and joint resolutions as have been approved by the mayor of the city of Richmond, or shall have otherwise become operative during the two years preceding the first day of September, 1910, and shall arrange them according to the dates of their approval, or to their so becoming operative, and shall have them bound in one or more volumes as may be necessary, marked "ordinances and joint resolutions from September 1, 1908, to September 1, 1910," and shall thereafter index, collect and have bound the ordinances and joint resolutions for every two years up to the first day of September, biennially, so as to have all the corporation acts of each two years in a separate volume or volumes properly and plainly marked as aforesaid. (August 13, 1910.)

6. The ordinances and joint resolutions of the council of the city of Richmond, signed, certified and enrolled, shall be taken to be the records of the corporation; and the city clerk shall cause all of the ordinances so certified, signed and enrolled to be promptly printed for distribution to the committees, heads of departments and others concerned thereby, and with them such of the joint resolutions as are of a public nature and have a continuing effect and use beyond the immediate occasion of their adoption, and shall biennially have printed, indexed and bound in one volume two hundred copies of said ordinances and resolutions, collected and bound under the foregoing section. (August 13, 1910.)

7. Whenever any ordinance granting any right or privilege to any corporation, receiver, or private person named therein, shall be published

in the newspapers of this city, in the manner prescribed by the law the expense of such publication shall be borne entirely by such corporation, receiver, or private person, who shall be deemed to have assumed said expense by the acceptance of the provisions of such ordinance. (Code 1899.)

8. Whenever the council passes a resolution or ordinance which appropriates money it shall be the duty of the city clerk, as soon as the mayor approves the same, or it shall pass, notwithstanding the mayor's veto, to furnish to the city treasurer a certified copy of the resolution or ordinance. It shall be the duty of the city clerk to see that the copies mentioned are promptly delivered to the city treasurer. (Code 1899.)

9. He shall regularly furnish the chairman of each committee with a copy of the resolution constituting it, and of all resolutions referring matters to his committee. It shall be his duty immediately after the close of each session of each branch of the council to make and present to the mayor a transcript of every ordinance or resolution having the effect of an ordinance, passed by both branches of the city council. He shall, in like manner, transmit to the auditor a transcript of all ordinances, resolutions or orders appropriating money, or authorizing the payment of money, the issue of bonds or notes; and to the heads of all departments of the city government all ordinances, resolutions or orders relating to their departments. He shall also give notice to the parties presenting communications or petitions to the city council, of the final action of the council on such communications or petitions. (July 19, 1907.)

10. He shall publish, in such manner as may be directed, all reports and ordinances which he may be required by the ordinances to publish, and such other reports and ordinances as the city council may direct. And he shall in general perform such other acts and duties as the city council, or either branch thereof, may from time to time require of him. (Code 1899.)

11. That it shall be the duty of the city clerk, in accordance with the requirements of section 21 of the charter of the city of Richmond, to cause to be published for five consecutive days in the daily newspapers published in the city of Richmond having the annual advertising contract with the city of Richmond for newspaper advertising, for the year in which such publication is made, the ordinances passed by the council of the city of Richmond required to be published by said section of the charter. (March 19, 1910.)

12. The sum of six hundred dollars shall be appropriated annually, to the credit of an account to be called "city clerk contingent expenses," to be used by the city clerk for incidental office expenses, copying records, etc. Said amount to be disbursed by the auditor upon warrants properly drawn and signed by the city clerk. (June 19, 1907.)

CHAPTER 10.

CONCERNING THE SERGEANT-AT-ARMS OF THE COMMON COUNCIL AND
BOARD OF ALDERMEN.

1. There shall be one one sergeant-at-arms for the two branches of the city council, to be elected by their joint vote, who shall continue in office for two years, unless sooner removed. He shall attend upon each branch during its sessions, and shall execute its commands, together with all such process issued by its authority as shall be directed to him by the president. He shall, under the direction of the president, have charge of the police of the council chamber and committee rooms, and shall prevent any interruption of the business of the body by disorder within or without. He shall distribute among the members all papers printed for their use, and shall render such assistance during the session of the body as will promote the comfort of the members and facilitate the business of the body. He shall announce to the president all messages sent from the mayor or other branch. He shall also attend on the meetings of the committees of the city council, act as the messenger of the city clerk, and deliver in person all notices and summonses issued by him to the members of either branch of the council, or the committees thereof. He shall act as the superintendent of the council chamber and committee rooms, and be responsible for the safe-keeping and proper protection of the property contained therein. He shall have the power and authority of a sergeant of police within and around the city hall. He shall have charge of the library belonging to the board of aldermen and common council, and permit no book belonging to the same to be taken from the chamber without the direction of the board or common council. (Code 1899.)

2. The sergeant-at-arms of the city council be, and he is hereby, directed to purchase and deliver to each member of the common council and board of aldermen one hundred street car tickets per month for each and every month during the year, and the committee on finance is hereby instructed to provide a sufficient fund for this purpose. (August 26, 1904.)

CHAPTER 11.

CONCERNING THE PUBLIC PRINTING AND THE PURCHASE OF STATIONERY
SUPPLIES.

1. The committee on printing shall annually contract for all the printing, binding and advertising required to be done for the city or its officers. They shall see that all printing is neatly executed upon paper of the quality prescribed by the committee, and shall examine and approve all bills for printing, binding and advertising, subject to the approval of the city council. (Code 1899.)

2. That the committee on printing and claims shall annually, in the month of December, contract for all the stationery to be furnished, and paid for by the city. And it shall be the duty of the head of each department of the city government, and all other persons who purchase stationery to be paid for by the city, to furnish the committee on printing and claims between the first and tenth of December of each year with a detailed statement of the kind and probable quantity of stationery which will be needed by them during the year commencing the first of the following January. (Code 1899.)

3. All bills for stationery to be paid for by the city shall be audited by the committee on printing and claims, and warrants on the auditor shall be issued by the committee for payment of such bills as are payable out of the fund to the credit of stationery and printing. (Code 1899.)

4. That the committee on printing and claims shall, from time to time, as the needs may arise, furnish to the city sergeant certain books known as the record book and the index book, which books shall always remain the property of the city of Richmond. (Code 1899.)

5. That whenever any one of such books so furnished to the said sergeant shall have been so fully used as to be no longer serviceable for further records, then the same shall be forwarded by the said sergeant to the clerk's office for the hustings court of said city, and shall there be preserved. (Code 1899.)

6. That the committee on printing and claims be, and they are hereby, authorized at the commencement of each term to elect a clerk, at the salary of two hundred and forty dollars (\$240.00) per year, payable monthly. (Code 1899.)

7. That all persons, firms or corporations, to whom privileges or franchises may be granted by the city council of Richmond, shall pay for the

printing of all ordinances granting said privileges or franchises after the approval thereof. The printing of all such ordinances shall be done by the contractor for city printing at contract price, and the bill or bills for same shall be approved by the city clerk and the clerk of the committee on printing and claims. (April 19, 1902.)

8. All persons, firms or corporations shall pay the printing bill for all ordinances granting them privileges or franchises within a period of thirty days after presentation of same; and, for the failure so to do, shall forfeit all rights and privileges authorized and granted by any such ordinance or ordinances, and such ordinance or ordinances shall be null and void. (April 19, 1902.)

9. That the heads of the departments of the city government, the clerks of the city courts and all other officers of the city government, using stationery or having work done in the preparation of the same, for which the city has to pay shall not purchase such stationery or supplies, or have such work done, except by the person with whom the city has contracted for the furnishing of its stationery and supplies, and for the doing of work in the preparation of the same, without first obtaining the consent of the committee on printing and claims, which consent said committee may grant on written application specifying the quantity, quality and character of the stationery, supplies or needed work. Any person violating the provisions of this section shall be liable to a fine of not less than ten nor more than twenty-five dollars, recoverable before the police justice of the city of Richmond. (December 18, 1906.)

10. That no officer or employee of the city of Richmond, or other person authorized by law to order or require printing or binding to be done or stationery or other like supplies to be furnished, for which the city of Richmond is obliged to pay, shall order the same except in writing, signed by the officer or person for whom the same is to be done or supplied on behalf of the city of Richmond; and the committee on printing and claims shall not order the payment of any bill for the doing of such work or the furnishing of such supplies unless such order accompany the bill therefor, together with a ticket or receipt showing the delivery to the person for whose use such work is done or supplies furnished. For a violation of the provisions of this section the person so offending shall be liable to a fine of not less than two nor more than five dollars for each offence, recoverable before the police justice of the city of Richmond. It is hereby made the duty of the clerk of the committee on printing and claims to report to that committee, for prosecution, all violations of this section. (June 21, 1909.)

CHAPTER 12.

CONCERNING THE AUDITOR AND TREASURER OF THE CITY.

1. The person elected to the office of auditor shall, before acting in his office, give bond with security in the sum of thirty thousand dollars, to be approved by the city council and entered on their records. (Code 1899.)

2. The auditor shall open, and keep in a neat and methodical manner, a complete set of books, under the direction of the city council, wherein shall be stated, among other things, the appropriations of the year for each distinct object and branch of expenditure, and also the receipts in detail from each and every source of revenue, so far as he can ascertain the same. Said books, and all papers, vouchers, contracts, bonds, receipts and other things kept in said office, shall be subject to the examination of the mayor, the members of the city council, or any committee or committees thereof. (Code 1899.)

3. The said auditor shall be charged with and exercise a general supervision over all of the officers of the city charged in any manner with the receipt, collection, or disbursement of the city revenues, and the collection and return of such revenues into the city treasury. He shall have charge of all deeds, mortgages, contracts, judgments, notes, bonds, debts, choses in action, belonging to the said city, except such as are confided to the custody of the city clerk, and such other papers as may be committed to his care by the city council, by ordinance or otherwise. (Code 1899.)

4. The said auditor shall examine all accounts, claims and demands for or against the said city; and no money shall be drawn from the treasury, or paid by the city to any person, except as herein otherwise provided, unless that balance due or payable be first settled and adjusted by the said auditor; and for the purpose of ascertaining the true state of any balance or balances so due, he shall have, and is hereby clothed with, full power and authority to administer an oath or oaths to the claimant or claimants, or any other person or persons, whom he may think proper to examine as to any fact, matter, or thing, concerning the correctness of any account, claim or demand presented; and the person so sworn shall, if he swear falsely, be guilty of wilful and corrupt perjury, and be subject to punishment by imprisonment in the penitentiary for not less than one nor more than five years. (Code 1899.)

5. All money found to be due and payable by the said auditor to any person, shall be drawn by said auditor by warrant on the treasurer, stating the particular fund or appropriation to which the same is chargeable, and the person to whom payable; and no money shall be drawn from the treasury except on the warrant of the auditor, as aforesaid. But the auditor is forbidden to issue his warrant for the payment of any money in excess of the appropriation on account of which said money is drawn, or unless the bill filed in his office shall show for what articles furnished or services rendered, the warrant is issued. (Code 1899.)

6. Whenever any person to whom the city is indebted shall apply to the auditor for a warrant in his favor, and the auditor has in his possession, or has knowledge of bills against said person for taxes or other dues to the city, it shall be the duty of the auditor to deduct the amount due to the city from that due to the person applying, and only issue his warrant in favor of said person for the excess; and whenever it shall appear that the amount due to the city is the greater, it shall be the duty of the auditor to credit the bill of the person with the amount due to him by the city, and not to issue any warrant in his favor. (Code 1899.)

7. It shall be the duty of said auditor, as nearly as may be, to charge all officers in the receipt of revenues or moneys of the city, with the whole amount, from time to time, of such receipts; he shall also require of all officers in receipt of city moneys that they shall submit reports thereof with vouchers and receipts of payment therefor into the city treasury, weekly or monthly, or as often as he shall see fit to require the same, by any regulation which he may adopt, and if any such officer shall neglect to make an adjustment of his accounts, when required as aforesaid, and to pay over such moneys so received, it shall then be the duty of said auditor to issue notice in writing, directed to such officer and his securities, requiring him or them, within ten days, to make settlement of his said account with the auditor, and to pay other balance of moneys found to be due and in his hands belonging to the said city, according to the books of said auditor; and in case of the refusal or neglect of such officer to adjust his said accounts, or pay over said balance to the treasurer as required, it shall then be the duty of said auditor to make report of the delinquency of such officer to the mayor, who shall at once suspend him from office, proceed forthwith to institute the necessary proceedings for the removal of such officer from office, and immediately on his removal, institute suit in the name of said city against him and his securities, to recover the balance of moneys so found to be due and in his hands belonging to said city. (Code 1899.)

8. The auditor shall make out an annual statement as soon as possible after the end of each fiscal year, giving a full and detailed statement of

all the receipts from income accruing, and disbursements for expenditures incurred, during the preceding calendar year. The said statement shall also detail the liabilities and expenditures during the year, the liabilities and resources of said city, the condition of all unexpended appropriations and contracts unfulfilled, the balances of money then remaining in the treasury, with all sums due and outstanding, the names of all persons who may have become defaulters to the city, and the amounts in their hands unaccounted for, and all other things necessary to exhibit the true financial condition of the city. (Code 1899.)

9. The auditor shall annually submit to the city council, at their first stated meeting after the beginning of the fiscal year, a report of the estimates necessary, as nearly as may be, to defray the expenses of the city government during the current calendar year. He shall in said report class the different objects and branches of the city expenditures, giving as nearly as may be the amount required for each. And for this purpose he is authorized to require of all city officers and heads of departments their statements of the condition of their respective departments and offices and the probable expense thereof during the current year, and a list of all unpaid expenditures of the preceding year. He shall also in such report show the aggregate income of the preceding calendar year from all sources; the amount of liabilities outstanding upon which interest is to be paid; and of bonds and city debts payable during the year when due and where payable, so that the city council may fully understand the money exigencies and demands of the city for the current year. (Code 1899.)

10. In addition to the other duties of the said auditor, it is hereby made his duty, on the last day of each and every month, to make out a monthly statement, giving a full and detailed account of all moneys received, from what sources and on what account received, and of all moneys ordered to be paid or drawn for by warrant by him, and on what account the same have been paid; and shall deliver said statement to the said city council at their next meeting, to be filed after the adjournment of said council, by the city clerk, with the papers belonging to his office. (Code 1899.)

11. The city council shall, as soon as practicable after the auditor and treasurer have qualified respectively, elect one clerk for each officer; but such clerks shall not enter upon the discharge of their duties until they shall have taken an oath before the city clerk for the faithful performance of the duties required, and shall have given bond in the sum of five thousand dollars each, with sureties approved by the city council. The clerks so appointed may be removed at any time by the city council. The auditor shall have authority to appoint two additional clerks, to be known

as first and second bookkeepers, who shall perform such duties as may be assigned them by the auditor, and shall hold their appointment from the auditor, and shall be removable at any time, without cause assigned, by the auditor. The salary of the first bookkeeper so appointed by the auditor shall be one thousand and eighty dollars per annum, and that of the second bookkeeper one thousand dollars per annum, payable monthly; but before entering upon the discharge of their duties they shall each give bond in the sum of three thousand dollars for the faithful performance of duty. (October 25, 1907.)

12. The hours for transacting business in the offices of the treasurer and auditor shall be as follows: From eight A. M. until three P. M., from the first day of April until the first day of October, and from nine A. M. until three P. M., during the rest of the year, except that upon the last days for the payment without penalty of gas bills or water bills, the treasurer's office shall remain open until four P. M. And the treasurer and the auditor shall be required to be present in the offices assigned them by the city council, and attend to their official business during these hours. And if either of these officers shall engage in any regular business which shall require or cause him to neglect his office habitually during business hours, the city council shall inflict such penalty as to them shall seem proper. (Code 1899.)

13. The auditor shall proceed at once to ascertain the total amount of unpaid real estate taxes on the books in his office, known as "lots sold for taxes," from 1876 to 1898, inclusive, and shall report the amount thereof to the committee on finance for record on their minutes, and the report shall be made on or before March 1, 1899. The amount so reported shall appear in the next annual report of the auditor as one item of the assets of the city. (Code 1899.)

14. Whenever hereafter the auditor charges the city collector with the assessed taxes for any year, his journal shall show the items separated into classes as real estate, taxes, personal taxes, fiduciary taxes, licenses, etc., etc., as the case may be, and there shall be on the general ledger a separate account for each class of taxes for each year, which shall be so debited and credited from year to year as to show at any time how much of each class of taxes of each year remains unpaid. (Code 1899.)

15. The auditor shall annually ascertain the amount due the city for unpaid real estate tax bills and report the same in his annual statement of the assets of the city. (Code 1899.)

16. The auditor shall make, or cause to be made, every quarter in each calendar year, at the dates March 30th, June 30th, September 30th, and December 31st, a balance sheet from the general ledger in his office (and shall show thereon the balance of every account on the ledger, including

the account "city of Richmond"), and it shall demonstrate the accuracy of the ledger to the date of the sheet. Each balance sheet made as herein required shall be laid before the committee on finance at its first regular meeting after the date of the sheet. (Code 1899.)

17. The auditor shall keep in his office a suitable book, and shall therein enter, at the time of its issue, each and every pay-in warrant, or order on the treasurer to receive money; and the said book shall show in proper columns the date, number and amount of the warrant, or order; the name of the person, officer or department reporting and paying the money; on what account the money is paid. (Code 1899.)

18. The treasurer shall keep in his office a suitable book, and shall therein enter each and every pay-in warrant, or order, from the auditor to receive money, as they are presented to him, and shall record, in each case, the number, amount and date of the warrant; the name of the person, officer or department reporting and paying the money, and on what account the payment is made, and shall preserve and file all such warrants or orders so recorded. (Code 1899.)

19a. That it shall not be lawful for any officer or employee of any department of the city government to receive money due the city for rent, or for material, property or products sold, or on any other account except as herein provided. Whenever rent or other money is due the city the proper officer of the department where the money is due shall certify the amount to the auditor and he shall direct the treasurer to receive the same from the debtor, specifying by whom and on what account the sum is payable.

19b. Whenever, by order of the council or any committee thereof, or by order of any board of commissioners of any department, a sale is made of any property, products or material owned by the city, it shall be the duty of the clerk of the council or of the committee or board ordering the sale to report immediately to the auditor a list or description of the property, products or material sold, with the price of each item thereof, the total amount due therefor, the name and address of the purchaser, the terms and conditions, if any, of the sale, and the said council, committee or board shall designate in the order of sale the officer or agent authorized or instructed to collect the proceeds of the sale. Said officer or agent shall collect the money due and pay the same to the treasurer in like manner as other moneys are paid to the treasurer. The report of the order of sale must, in all cases, be signed by the presiding officer of the body ordering the sale, and be made a part of the minutes of the council, committee or board ordering the sale.

19c. The auditor, upon receipt of any and every such report from the clerk or agent, shall thereupon enter, in a book provided and arranged for

the purpose, a charge against the purchaser for the items and for the amount set forth in the report and shall file and preserve all such reports.

19d. Upon the payment of any moneys made in accordance with this ordinance the auditor shall mark the charge paid and pass the amount paid to the credit of the "Receipts" account of the department from which the charge was reported, and in his annual report show what reduction has been made in the expense account of each department by reason of such sales.

19e. Nothing in this ordinance shall be deemed to apply to the payments due the city for gas, water, market rents, taxes or assessments now regulated by ordinance and payable directly to the treasurer, city collector, collector of delinquent taxes, or to the superintendents of city cemeteries.

19f. It shall be the duty of the auditor to report to the council every charge made under this ordinance which remains unpaid for thirty days from the date thereof. (Code 1899.)

20. The clerk to the auditor shall perform the duties of transfer clerk in the auditor's office without additional compensation. (Code 1899.)

21. Whenever it is necessary for the auditor to charge the treasurer with medals, license tins, etc., as required by section twenty-six of chapter thirteen of the city ordinances concerning taxes, as amended and approved May 29, 1897, he shall charge them on the journal of his office as hereinafter directed, and not otherwise, and any entry already made and not in accordance with this section must be immediately made to conform to it. The treasurer shall, on the journal, be made debtor to each class of licenses for the full number of medals, tins, licenses, etc., as the case may be, and for the full amount of each class of licenses for the full term of one year; and the several classes of licenses duly credited for their respective amounts. Whenever, and as often as the treasurer reports the payment of any of the said licenses to the auditor, he shall also report whether each license is paid for the full term of one year, or for a portion of the year, and for what portion, and the auditor shall thereupon debit the several accounts and credit the treasurer by the cash paid and by the proportionate part of the license or licenses unpaid, because not issued by the treasurer; the total credit to balance the total charge for each license reported, for one year. The entries herein required are to be in addition to and must not interfere with the present receipts and disbursements accounts of the auditor's office, and may, if more convenient, be kept upon a separate book, the size, form and quality of which shall be approved by the chairman of the committee on finance. (Code 1899.)

22. There shall be in the office of the auditor an account book entitled "Market Clerks' Monthly Settlements," and it shall be made and kept as hereinafter required. The said book shall be printed and ruled as follows on every page: It shall have a printed heading, "Market Clerks' Monthly Settlement," and shall be ruled in ten columns, with a printed heading for each and as follows: "Month," "Name of Clerk," "Number of Market," "Number of Daily Certificate Tickets Delivered," "Value of D. C. Tickets Delivered" (in dollars and cents), "Number of D. C. Tickets Returned," "Value of D. C. Tickets Returned" (in dollars and cents), "Cash Paid in for D. C. Tickets Sold" (in dollars and cents), "Total Cash and D. C. Tickets Returned and Paid" (in dollars and cents), "Date of Settlement." The auditor shall monthly charge and credit, by the actual delivery of the tickets called daily certificates and return of D. C. tickets and money, each market clerk as indicated by the several columns provided, and the column "Total Cash and D. C. Tickets Returned and Paid" shall each month balance the column "Value of D. C. Tickets Delivered." The column headed "Date of Settlement" shall show the month and day of settlement. The book and accounts herein required shall be in addition to and shall not interfere with the present accounts of market receipts. The chairman of the committee on finance is hereby authorized and instructed to order and complete the book and to certify the bill for payment to the committee on "Printing and Claims." (Code 1899.)

23. The auditor shall proceed to prepare and complete new indexes to the taxes known as "Lots for Redemption," and shall complete the work by the first day of June, 1899, and as hereinafter required. The present indexes shall be copied, as hereinafter required, upon a book or books known as "Graves' Printed Indexes," made by Hall & McChesney, Syracuse, N. Y., and modified, or made to order, as hereinafter set forth. The copy herein ordered shall omit every item previous to the year 1876, and every item which is unquestionably paid or which has been cancelled by order of the council, and also any item unpaid if the property upon which it is due is now the property (by deed) of the city of Richmond, or of the Commonwealth of Virginia, but shall otherwise be a full and complete and correct copy of the present indexes from 1876 to 1898, inclusive. The person charged with the work shall proceed as directed in this section and shall also verify the correctness of each item and supply any item hitherto omitted from the index, and where the same name is repeated reduce the several entries to one. The indexes ordered for this work described in this section shall have a capacity of not less than ten thousand nor more than twenty thousand items or names and shall be made of Byron Weston's linen ledger paper, double cap, not less than 40 pounds to the

ream, and shall be printed and ruled throughout to answer the purpose for which they are made, and shall be bound in the best and most durable manner. The chairman of the committee on finance is hereby authorized to purchase, or order to be made, the necessary printed indexes, at a cost not exceeding forty dollars, and to certify the bill for payment to the committee on printing and claims. (Code 1899.)

24. The auditor, treasurer and superintendent of the water works shall arrange for the keeping, and continue to keep, the records and accounts under their respective control. (November 17, 1906.)

25. The auditor shall place upon the general ledger all sinking fund accounts and balances of same as are shown by the books of the treasurer's office as soon as found to be correct, and in future shall maintain by proper entries the correct balances of said accounts. (November 17, 1906.)

26. The auditor shall prepare statements showing the total of delinquent bills for paving and grading, pipe connections, and real estate taxes, as shown by the detailed books of his office, and he shall correct the balance of the respective accounts on the ledger to conform to the figures so obtained; excepting in the case of delinquent real estate taxes, which shall be kept in accordance with section 24 of chapter 10 of the Code 1899 for a period of five years, after which date any balances remaining unpaid shall be transferred to an account designated "delinquent real estate taxes." The balance of said account shall at all times be considered an asset of the city, and shall appear in the annual report of the auditor as such. (November 17, 1906.)

27. In future in addition to "marking satisfied" any item of paving and grading, pipe connection, or real estate tax bills for authorized credits, the auditor shall require proper journal entries to be made for said credits, and thereby maintain correct balance between the ledger and detail books. (November 17, 1906.)

28. All balances on personal tax accounts on the general ledger prior to 1900 be charged off to the account "City of Richmond"; and that in future the auditor shall carry only five years of delinquent personal taxes upon the general ledger as an asset; one year of the old bills to be charged off annually in future. (November 17, 1906.)

29. That the auditor charge to the treasurer the total of all gas and water rents monthly as shown by the bill listing books of said departments as the books are submitted to his office, and that he credit the accounts against the treasurer so charged with daily collections on each of said accounts; requiring the collections and the uncollected bills for each month to balance the accounts charged against the treasurer. And the treasurer shall in future enter the total of all penalties collected on either water or gas bills in the column provided on his desk books for said

penalties; the total of penalties so collected to be credited by the auditor to an account to be designated "Penalty on Gas and Water Bills." (November 17, 1906.)

30. In future the auditor shall credit all interest charges collected on any paving and grading, pipe, or tax bill to an account to be designated "Interest on Tax, Paving, etc., Bills." (November 17, 1906.)

31. In order to carry out the provisions of section twenty-nine of this chapter, the water department shall add and total the bill listing book furnished by that department to the auditor, for the purpose of checking payments on account of water rents. (November 17, 1906.)

32. The auditor shall in his annual report for each fiscal year first show a balance sheet of the assets and liabilities of the city; which shall include all assets and liabilities of every character, and which shall set forth the true financial condition of the city; said balance sheet to be followed by detailed statements sustaining the figures shown therein, in so far as the assets of city property, maturity of bonded debt, receipts and disbursements, amounts expended on account of annual appropriations and balances on account of said appropriations unexpended, assessed value of real and personal property, and such other information as is required by the charter and ordinances of the city. All of which information shall be sustained by the books of his office. (November 17, 1906.)

33. At the end of each fiscal year the auditor shall, under direction of the committee on finance, increase the book value of the revenue bearing or salable assets of the city for the amounts expended for betterments during the preceding year; said increases to be at all times subject to the appraisalment of the State board of assessors, and the appraisalment of the said board shall be considered to be the true value of the properties assessed; and the books of the city shall be corrected to conform to said values. (November 17, 1906.)

34. In order to carry out the foregoing sections the auditor shall arrange and keep the accounts upon the general ledger of the city in the following order: I, Capital accounts, sinking fund interest and redemption, bonded debt, assets—city property; II, Current accounts, treasurer, city collector, taxes, etc., collector delinquent taxes, etc., delinquent accounts with auditor, bills payable, appropriation; III, Detailed appropriation accounts. (November 17, 1906.)

35. The person elected to the office of treasurer shall, before acting in his office, give bond, with security in the sum of one hundred thousand dollars, to be approved by the city council, and entered on their records. (Code 1899.)

36. The treasurer shall receive all moneys belonging to the city, and shall keep his office in some place designated by the city council. He

shall have the custody of the corporate seal, and whenever the seal is to be affixed to any paper, not exempt by law from tax, he shall affix it, on the warrant of the auditor, and shall not deliver such paper, without obliterating the seal, until a tax of two dollars is paid. He shall keep his books and accounts in such manner as the city council may prescribe, and such books and accounts shall always be subject to the inspection of the mayor and any member of the city council, or any committee or committees thereof. (Code 1899.)

37. No money shall be paid out by the treasurer except upon the warrant of the auditor, issued as hereinbefore provided, and he shall keep a separate account of each fund or appropriation, and the debits or credits belonging thereto, corresponding as nearly as possible with those kept by the auditor. (Code 1899.)

38. All moneys to be paid into the treasury of the city, except the bills for gas and water and such other assessments as the city council may so ordain, shall be paid by the person liable to pay the same, or his agent, to the treasurer, in the following manner: A warrant shall first be obtained from the auditor directing the treasurer to receive the sum to be paid, specifying on what account the payment is to be made. Upon the payment of the money to the treasurer he shall give a receipt for the same, which shall be carried to the auditor, and his receipt therefor shall be the acquittance of the party making the payment. Bills for gas and water, and such other assessments as the city council may so ordain, shall be paid directly to the treasurer, who shall keep an account thereof and make daily reports of accurate copies of such receipts to the auditor. In the event of the sale or exchange of any property under control of any committee of the council, officer, or agent of the city, the agreed price or difference in exchange of such property shall be paid into the city treasury by warrant, according to the provisions of this section. (Code 1899.)

39. The treasurer shall, at the end of each and every month, and oftener if required, render an account to the auditor, showing the state of the treasury at the date of such account, and the balance of moneys in the treasury. He shall also, if required so to do by the auditor, accompany such account with a statement of all moneys received into the treasury, and on what account, with a list of all warrants redeemed and paid by him during the month. (Code 1899.)

40. The treasurer shall also report to the city council, at the end of each fiscal year, and oftener if required, a full and detailed account of all receipts and expenditures during the preceding fiscal year, and the state of the treasury. He shall also keep a register of all warrants, their date, amount, number, the fund from which paid, and the person to whom paid, specifying also the time of payment; and all such warrants shall be

examined, at the time of making such annual report to the city council, by a committee thereof, who shall examine and compare the same with the books of the auditor, and report discrepancies, if any, to the city council. (Code 1899.)

41. All moneys received on any special assessment shall be held by the treasurer as a special fund, to be applied to the payment for which the assessment was made; and said money shall be used for no other purpose whatsoever. (Code 1899.)

42. The treasurer may be required to keep all moneys in his hands, belonging to the city, in such place or places of deposit as the city council may by ordinance provide, order, establish, or direct. Such moneys shall be kept distinct and separate from his own moneys; and he is hereby expressly prohibited from using, either directly or indirectly, the corporation money or warrants in his custody and keeping for his own use and benefit, or that of any person or persons whomsoever; and any violation of this provision shall subject him to immediate removal from office. In case of his removal, the city council shall elect a qualified person to fill said office until the next general election which may be held in the city, when the qualified voters of said city shall, as in other cases, fill such vacancy by an election of a successor, who shall hold his office for the remainder, if any, of the unexpired term of the officer removed. (Code 1899.)

43. The treasurer of the city is hereby required to keep all moneys in his hands belonging to the city in the following banks, to-wit: The Planters National Bank, of Richmond; the First National Bank, of Richmond; the National State Bank, of Richmond; the City Bank, of Richmond; the Merchants National Bank, of Richmond; the American National Bank, of Richmond; the National Bank of Virginia, of Richmond; the Bank of Richmond, Incorporated, of Richmond; the Broad Street Bank, of Richmond; the Bank of Commerce and Trusts, of Richmond; the Virginia Trust Company, of Richmond; the Mechanics and Merchants Bank, of Manchester, and the Manchester National Bank, which are hereby designated as depositories of the city funds in accordance with the foregoing section. (May 17, 1910.)

44. That the treasurer of the city of Richmond be, and he is hereby, empowered to refund any water or gas bill which has been twice paid and a proper portion of any water bill, when the occupier of the house charged with the bill shall move before the end of the quarter paid for. But no such refunding shall be done unless the city auditor shall issue and deliver to the person entitled thereto, or his agent, a warrant upon the treasurer stating the amount and the reason of its issuance. In case of water and gas bills twice paid no such warrant shall be issued unless the

party shall present and surrender to the auditor his bills showing double payment, which bills shall be preserved and filed by said auditor. In case of refunding a portion of a water bill, no such warrant shall be issued except upon an order from the superintendent of the water works stating the amount to be refunded and the reason therefor, which order shall be preserved and filed by said auditor. Said warrants shall be paid by the treasurer out of the money derived from the respective departments. It shall be the duty of the auditor, within twenty-four hours after the discovery that a gas or water bill has been twice paid, to notify the person or persons who have so paid, by a postal card addressed to the person and premises, that the amount overpaid will be returned on application to the auditor and the surrender of duplicate receipts. In order to comply with the requirements of this section the auditor is hereby authorized to purchase, from time to time, the necessary postal cards and have printed thereon a suitable form of notice and to issue his warrant on the treasurer for the cost thereof and charge to account "Contingent Fund." (Code 1899.)

45. The treasurer of the city of Richmond is hereby authorized to locate, control and maintain in suitable and convenient places in the city of Richmond four sub-stations at which gas and water bills may be paid, and he is further authorized to employ an additional clerk to assist in his office and to do such other work as the treasurer may direct in receiving gas and water bills at the sub-stations hereby authorized to be established. (June 6, 1903.)

46. That the treasurer of the city of Richmond is hereby authorized to employ in his office a clerk to discharge such duties pertaining to his office as he may direct for the faithful discharge of which duties the said treasurer shall be responsible. (March 16, 1907.)

47. That the treasurer of the city of Richmond be, and he is hereby, authorized to employ an additional clerk in his office to discharge such duties pertaining to his office as he may direct, for the faithful discharge of which duties the said treasurer shall be responsible. (February 16, 1910.)

CHAPTER 13.

CONCERNING THE RECEIVING AND PAYING MONEY AT THE TREASURY.

1. All moneys, if over one hundred dollars, received by the treasurer under section thirty-eight of chapter twelve, up to Wednesday at two o'clock, of each week, shall be deposited by him on that day in one of the banks of this city, to the credit of the city, and so all moneys, if over one hundred dollars, received by him up to Saturday at two o'clock, of each week, shall be deposited in like manner. (Code 1899.)

2. Any person bound to pay money into the city treasury, who shall pay the same otherwise than according to section thirty-eight of chapter twelve, shall remain liable for such money, and be subject to every fine, forfeiture or penalty to which he would have been subject if he had not paid the same. (Code 1899.)

3. All money paid into bank, in pursuance of the first section of this chapter, shall stand on the books of the banks to the credit of the city. But the treasurer shall have no authority to draw any of said money, except by his check, drawn upon a warrant issued by the auditor. If any money in bank, to the credit of the city as aforesaid, shall be paid otherwise than upon his check, drawn upon such warrant, the payment shall not be valid against the city. (Code 1899.)

4. The proceedings of each of said officers shall be entered in books kept for the purpose, and the books, vouchers and papers properly arranged and preserved. (Code 1899.)

5. The committee on finance shall examine the accounts for the necessary contingent expenses of each of said officers, and report to the city council for payment such as they may approve. (Code 1899.)

6. When it is necessary for either of said officers to be absent from the city, or from his office on account of sickness, the other shall be informed thereof. During such absence, the duties of the officer so absent shall be performed by the clerk in his office. (Code 1899.)

7. The said officers and their sureties shall be liable for any default or breach of duty of their clerks, respectively, during their absence, in performing the duties of said absent officers. (Code 1899.)

8. The fiscal year shall commence on the first day of February, and end on the last day of January. (Code 1899.)

9. Any person having a claim against the city of Richmond, for salary as an officer of the city, or for interest upon bonds of the city, may

apply to the auditor, and he shall allow so much on account thereof as may appear to be due. (Code 1899.)

10. All the claims authorized by ordinance to be paid on the order of a committee, shall be drawn on the auditor, and all other claims against the city shall be presented to the city council, and such of them as shall be allowed, for the amount allowed, shall be certified by the city clerk to the auditor, and these claims shall be entered upon his books. (Code 1899.)

11. After any claim is allowed under this chapter, a warrant shall be issued by the auditor for the sum to be paid, which shall be signed by the auditor and attested by his clerk. Every warrant shall express the particular head of general revenue or expenditure on account of which the money is received or paid. (Code 1899.)

12. There shall be kept on the books of the auditor's office an account against the treasurer; a separate account for each of the subjects on which there are standing committees of the city council; an account with each officer or agent of the city to whom advances may be made by order of any committee; and such other accounts as may be necessary to exhibit plainly the condition of every branch of the revenue and expenditures of the city. (Code 1899.)

13. On the last day of each quarter of the fiscal year, the auditor shall compare the books of his office with those in the treasurer's, and strike the balance on his books, showing the amount of money in the treasury; which balance he shall carry forward to the next quarter. (Code 1899.)

14. All unsettled accounts on the books of the auditor shall be balanced on the last day of each fiscal year, and the balances brought forward on the first day of the new fiscal year. For this purpose there shall be a general ledger of accounts, which shall be kept so as to show all the balances due to or from the city. (Code 1899.)

15. The auditor shall, in books kept for the purpose, keep a register of all city property; and also of all bonds or certificates of debt issued by the city. (Code 1899.)

16. The treasurer, on his books, shall state the accounts of money received and paid, so as to show distinctly the net produce of each branch of the revenue, and the whole amount thereof, and also the amount of disbursements. (Code 1899.)

17. He shall keep a list of the warrants drawn upon the treasury in every fiscal year, numbered from one upwards. (Code 1899.)

18. The treasurer shall furnish the auditor, at the expiration of each quarter of the fiscal year, with a list of the receipts, and a list of the payments, at the treasury, during such quarter, showing the number, date, and amount of each warrant, and in whose name the money was re-

ceived, or the warrant issued, placing in separate columns the amount of each warrant under which money was received or paid in a different year from that in which it was issued. The auditor may, however, dispense with such lists at the end of any particular quarter, if he finds that the purpose thereof can be as well attained by examining the treasurer's books for each quarter. (Code 1899.)

19. The treasurer shall keep a general ledger of accounts into which he shall post all the receipts and disbursements at his office, arranging the disbursements under the heads to which they properly belong. There shall be opened on the said ledger a general account of receipts and disbursements, which, on the last day of each quarter of the fiscal year, he shall compare with the books kept by the auditor. After they are made to correspond, he shall strike the balance on said account, showing the amount at that time in the treasury; which balance shall be carried forward to the general account for the next quarter. (Code 1899.)

20. He shall keep accounts on the books of his office with different banks in which the money of the city is deposited, on which accounts balances shall be struck at the same periods, showing the amount in bank to the credit of the city at the end of each year. (Code 1899.)

CHAPTER 14.

CONCERNING THE ASSESSMENT OF PROPERTY FOR PURPOSES OF TAXATION.

1. The person elected to the office of commissioner of the revenue, shall, before entering upon the duties of his office, give bond, with sureties, in the sum of five thousand dollars, to be approved by the city council, and entered on their records. (Code 1899.)

2. The commissioner may appoint one or more deputies, and may take from each of them such security as he may approve, not exceeding the sum of two thousand dollars; and said commissioner shall be liable upon his official bond for the acts of his deputies. (Code 1899.)

3. The clerk of the chancery court of the city of Richmond, and the clerk of the county court of Henrico, shall be paid annually, the former one hundred dollars and the latter fifteen dollars, and the clerk of the circuit court of the city of Richmond shall be paid annually ten dollars, upon the certificate of the commissioner of the revenue that they have respectively delivered to him such lists as are mentioned in sections 459, 460 and 461 of the Code of Virginia, edition of eighteen hundred and eighty-seven, so far as may relate to lands in this city; provided, that if such lists be not furnished by the clerk of said chancery court on or before the fifteenth day of February, in any year, his compensation therefor shall be fixed at the sum of fifteen dollars. Any party interested may procure, at his costs, and deliver to the commissioner, an abstract from the land office of any grant issued therefrom for lands in this city, or a statement from the clerk of any court of any such judgment, decree, or order, as is mentioned in said section 460 or of proceedings under chapter forty-six B of Code of 1904, accompanied by evidence of the payment required by that chapter to vest title. (Code 1899.)

4. The commissioner shall, as soon as may be after the first day of the fiscal year 1899, and of every year thereafter, ascertain and, in a book called the Land Book, enter separately each parcel of real estate in the city, and enter in as many columns as may be necessary the name of the owner of each parcel of real estate, and, if there be a building or buildings thereon, the number of the house or houses, the nature of his estate, whether in fee or for life, (charging, in the case of a lot leased for a term of years on ground rent, the lot with all improvements thereon, not to the lessee but to the tenant for life, or fee simple owner, under whom the lessee holds,) the number of the square or block in which the lot is sit-

uated according to the maps of the city in the engineer's office and if the lot is in a block or square of any "addition" to the city then the name of the addition also, the number of the lot in the block or square; the name of the street on which the lot fronts and the side of the street, whether north, south, east or west side, and if a corner lot the names of the two converging streets, and whether the lot is on N. W., S. E., N. E. or S. W. corner, or if between two streets, the names of the streets next thereto on either side, whether they are north and south or east and west of the lot, the number of feet that the lot or lots charged front on the street; the value of the buildings on the land, the value of the land and the total value of land and buildings; and from whom and when and how the owner derived the land; making transfers on his hand-book according to the lists, statements and abstracts furnished by the clerks of Richmond city and Henrico county, or any record evidence furnished by a party interested, or any satisfactory evidence of mistake in previous entries, and making a note and explanation of each alteration made from the preceding book, showing why and upon what authority it was made. (Code 1899.)

5. The commissioner of the revenue shall, in making up his land-books for the year eighteen hundred and seventy-eight, conform to the provisions of an act of the legislature of Virginia, approved the twenty-ninth day of March, eighteen hundred and seventy-seven, and adopt as a basis of said book the last assessment of real estate made under authority of the State of Virginia, for State purposes, and adopt as a basis of the land-books for every succeeding year such assessments as may have been last previously made under the authority of the said State of Virginia. (Code 1899.)

6. The commissioner shall add the value of any old building omitted, and of any addition to or improvement on any old building, and of any new building. When a lot becomes the property of different owners in several parcels, the value at which the whole had been assessed shall be distributed amongst the several parcels, having regard to the value of each parcel compared with that of the whole lot. In assessing the value of all manufacturing establishments, mills, or iron-works, all machinery and fixtures attached thereto shall be included. (Code 1899.)

7. When real estate is sold for taxes, the commissioner shall, in his land-book, transfer the land sold to the purchaser, and shall continue the same in his name until it shall be redeemed. If any land be purchased for the city, it shall be entered in a separate list at the end of the book. When, however, any land so sold is redeemed, it shall be retransferred to the former owner or his grantee. (Code 1899.)

8. The commissioner, in making out his land-book, shall correct any mistake in the land-book of the preceding year, upon satisfactory evidence thereof. But land which has been correctly charged to one person, shall not be transferred to another without evidence as hereinbefore required, except that when the owner dies intestate, the commissioner may ascertain who are the heirs of the intestate, and charge the land to such heirs. (Code 1899.)

9. The building inspector shall notify the commissioner of the revenue, whenever the erection of any new buildings shall be commenced within the limits of the city. New buildings shall be assessed, whether entirely finished or not, at their actual value at the time of assessment. (Code 1899.)

10. Each person of full age and sound mind shall list the personal property in his or her possession or care subject to taxation, situate in the city, and the subjects and persons on account of which he is chargeable. The property of a minor shall be listed by his guardian, father, mother, or any other person having charge of the property; of a wife, by her trustee, husband, or by herself; of a deceased person, idiot, or lunatic, by the personal representative or committee; of a person for whom property is held in trust, by the trustee, if in the city, if not, by the cestui que trust, or his or her father or husband; of a corporation whose assets are in the hands of agents, receivers, or factors, by such agents, receivers, or factors; of every company, firm, body politic or corporate, by the principal accounting officer, partner, or agent thereof. (Code 1899.)

11. The commissioner shall, as soon as may be after the first day of the fiscal year, ascertain, by personal application, and in a book (called the personal property-book), enter—

First. The name of every male inhabitant of the city who has attained the age of twenty-one years, recording in separate columns those that are white and those who are not white. (Code 1899.)

Second. The name of each person, whether living in or out of the city, who, in his or her own right, is possessed of any personal property in the city subject to taxation, showing, in each case, in what character the same is possessed. (Code 1899.)

Third. The name of every bank, insurance company, or other incorporated company, located or doing business in the city. (Code 1899.)

Fourth. He (the commissioner of revenue) shall ascertain from the clerks of the several courts of record held in the city of Richmond, or otherwise, the value of personal property, moneys, credits, notes, bonds, stocks, choses in action and other evidences of debt, whether held by any personal representative, committee, trustee, cestui trust, guardian or other fiduciary, living in or out of said city, or held subject to the order

of any court, subject to taxation, showing in each case, in what capacity and on what account the same are so held, and he shall list and enter the same on the personal book. (June 18, 1910.)

12. He shall, at the same time, in said book, enter the names: First. Of each person or firm carrying on the business of merchant, trader or shopkeeper. Second. Of every person or firm engaged in the business of a manufacturer, whether of flour, iron, engines, tobacco, machinery, or any other kind of manufacture. Third. Of each banker, stock-broker or other broker, and of each agent of a company or corporation located out of the city. Fourth. Of each person or firm carrying on the business of auctioneer. Fifth. Of each practising physician, lawyer, dentist, artist, architect, veterinary surgeon, barber, baker, plumber, measurer or inspector of lumber and measurer or inspector of mechanics' work. Sixth. Of all keepers of ordinaries, of houses of private entertainment, of private boarding-houses, of cook-shops, eating-houses, and lager beer or other drinking saloons. Seventh. Of all persons who sell at private sale or rent out houses, or procure employment for labor for profit, whether auctioneers or not. Eighth. Of all keepers of livery stables, and the number of stalls in each. Ninth. Of all dealers in horses or mules, or cattle, sheep, or hogs. Tenth. Of all owners of theatres and buildings, or rooms kept for shows, lectures, or public exhibitions. Eleventh. Of all owners or keepers of wagons, drays, carts, hacks, and other wheeled carriages, kept or employed in the city for hire, and the owners or keepers of wagons, drays, and carts not kept for hire. (Code 1899.)

13. The commissioner shall state plainly in his book the peculiar character in which a person or firm is listed; when corporations, or agents of corporations, are listed, the nature of the business of each; when a merchant is listed, whether he sells by wholesale or retail, on his own account or on commission, and whether he sells spirituous liquors; when manufacturers are listed, the nature of their business; and when auctioneers or brokers are listed, whether they do a general business as such, or are confined to a particular subject. (Code 1899.)

14. The commissioner shall presume that all persons prosecuting any business by virtue of a license, are applicants for a continuance of the privilege, and list them accordingly. If any other person, either before or after the commencement of the license-year, shall desire to engage in a business for which a license is required, he shall report to the commissioner, and through him make application to the committee on finance. If he shall engage in such business before obtaining a license, in addition to any other penalties to which he may be subject, the city council may require him to pay a double tax as the price of a license to prosecute his business for the residue of the year. (Code 1899.)

15. The commissioner shall, from time to time, before the completion of his annual report, return to the committee on finance, partial alphabetical lists of persons liable to a license tax for the ensuing year, with all facts necessary to determine their classification, and, with such annual report, shall return to the auditor a complete alphabetical list of all such persons. Thereafter, he shall make similar reports to the committee on finance as frequently as occasion may require, communicating in all such reports, all violations which may come to his knowledge, of the requirements of the revenue law, by persons prosecuting business without license. (Code 1899.)

16. Whenever the commissioner shall have reason to doubt whether any person carrying on business liable to a license tax is permanently located in the city, he shall hand to the collector, for immediate collection, the account against such person for such tax. (Code 1899.)

17. The commissioner shall ascertain from each person or firm the market value, on the first day of the fiscal year—First, of all his personal property in the city, except family portraits and private library. Second, of his capital employed in business and not invested in real estate, or employed in manufacturing outside the city. Third, of all his shares in corporations or other joint-stock companies located in the city, not otherwise assessed for city taxes. Fourth, of all his bonds or certificates of debt of any country, state, county, municipal or other public corporation, other than the United States, the State of Virginia, or the city of Richmond. (Code 1899.)

18. He shall ascertain, from each person residing in the city, the amount of all solvent bonds, notes, and securities other than those mentioned in the preceding section, and of all solvent, liquidated and certain demands and claims, however evidenced, or wherever the debtor may live, owing and coming to such person, whether due or not, on the first day of the fiscal year, deducting from the aggregate amount thereof the amount of all such bonds, securities, liquidated claims and demands owing to others from such person as principal debtor, but in neither case shall unsettled book accounts be included. The aggregate of principal and interest shall constitute the amount of a bond or claim due and payable. The present value, after deducting the legal interest, shall constitute the amount of a bond or claim not yet due and payable, and which bears no interest. (Code 1899.)

19. He shall ascertain from the proper officers of all corporations and joint-stock companies, except companies incorporated for the purpose of internal improvement, and banking associations organized under the laws of the United States, or incorporated under the authority of the State of Virginia, the amount of their capital and assets, not exempt

from taxation, excluding that invested in real estate, or machinery or fixtures attached thereto; or in manufactures outside of the city, and shall require such officers of all banking associations to report the number of the shares in their respective companies, and the market value of each share on the first day of the fiscal year. (Code 1899.)

20. The commissioner shall call, in person or by his deputy, upon every person in the city required to render a list of property, moneys, credits or other subjects of taxation; and shall furnish forms for lists and valuations. Every such person shall return statements according to such forms and annex thereto valuations of the property, verified, if required, by oath, taken and subscribed before the commissioner or some other officer authorized to administer an oath, to be appended to every such statement, to the following effect, viz.: "I do solemnly swear that, to the best of my knowledge and belief, the annexed statements are true, and the valuations not below the fair cash value of the property, and that I have not omitted any subjects or persons on account of which I am chargeable with taxes. So help me God." The auditor shall furnish to the commissioner as many printed copies of such forms as may be necessary, with the required oath printed on the same. The lists received from the tax-payers shall be filed by the commissioner with the auditor. (Code 1899.)

21. If any person be absent from the city at the time the commissioner calls, (and there be no person on the premises authorized to act for him,) the commissioner may leave at his residence or place of business, proper forms, to enable him to make out the statements aforesaid; and it shall be the duty of such person, within fifteen days thereafter, or as soon as he returns to the city, to return to the commissioner such lists, with valuations, verified by affidavit, as hereinbefore required. (Code 1899.)

22. If the commissioner is not satisfied with the tax-payer's valuation of the property, he may, upon his own view, or such information as he may obtain or possess, adopt what he deems a fair and proper valuation thereof; provided, that where it is practicable, he shall give an opportunity to the tax-payer to be heard before his books are returned to the auditor. (Code 1899.)

23. If any person or corporation, after being furnished with the proper forms, shall fail, for fifteen days after the date of the delivery of the forms, to return the lists in the manner prescribed, the person or corporation so failing shall be fined not less than one nor more than twenty-five dollars, recoverable in the police court of the city of Richmond after summons by the commissioner of the revenue, as hereinafter provided. Immediately upon the expiration of fifteen days after the delivery of any, and each, list for personal taxes, the commissioner shall summon each

delinquent before the police justice to show cause why the fine should not be imposed, and shall add to his assessment of each delinquent the sum of one dollar for cost of summons. Each summons shall contain notice of the cost thereof, and shall state the minimum and the maximum of the fine which may be imposed. (January 14, 1899.)

24. No tax shall be assessed upon any real or personal property belonging to the State of Virginia, the United States, or the county of Henrico, or upon any such property belonging to or held by any church or association of churches, religious society, orphan asylum, or other charitable institution, or any college, theological seminary, academy, free school, or public library, or upon any such property held by any society of Free-Masons, Odd-Fellows, Sons of Temperance, Knights of Pythias, or similar benevolent associations, and exclusively used for religious, charitable and benevolent purposes, or upon any private library; and no license tax shall be required of any tract society or religious organization, for the privilege of publishing and selling religious papers, pamphlets, and books. (Code 1899.)

25. The commissioner shall keep a separate record for each ward, alphabetically arranged, and opposite to the name of each tax-payer in the ward of his residence or place of business, shall extend the amount of taxes assessed against him; provided, however, that when any change or rearrangement of the wards of the city of Richmond shall be made, either by the general assembly of Virginia or by ordinance, the record and arrangement hereinbefore provided for shall not conform to such change or rearrangement until the succeeding year. (December 18, 1903.)

26. If the commissioner shall ascertain that any person, or any real or personal property which should have been assessed for taxation in previous years, has been omitted, he shall list the same, making a proper assessment of value of property omitted; and in addition to the taxes for the current year, shall charge the taxes for each year, not exceeding five, for which the assessment thereof shall have been omitted, adding thereon interest at the rate of six per centum from the first day of July of each year. The real estate upon which any such arrears of taxes may be due, shall not be liable therefor, if the same shall have been transferred for value to a bona fide purchaser without notice of such arrears. (Code 1899.)

27. When, in consequence of the failure or refusal of any person to give the commissioner an account of his property and state the value thereof, or produce the same to the commissioner to be valued by him, as required by ordinance, the list thereof shall have been obtained too late to be placed upon the commissioner's books of personal property for the year in which it is so obtained, it shall be entered on the books of the next

year, along with the list of the next year, and there shall be added to the tax omitted, at the rate of twenty per centum per annum on the amount thereof for one or more years, as the case may be. (Code 1899.)

28. All assessments of value or taxes made by the commissioner under any provision of this chapter, shall be subject to review by the committee on finance. Any party feeling aggrieved, may appeal to the committee for redress. (Code 1899.)

29. If the commissioner shall fail to enter correctly and fully all of his own property, and all taxes with which he shall be chargeable, he shall be subject to a double tax, and a fine of not less than fifty nor more than five hundred dollars. (Code 1899.)

30. The commissioner, after completing his land-book and book of personal property, shall make two fair copies thereof, appending to the originals, and each copy, the following oath: "I, A. B., commissioner of the revenue for the city of Richmond, do swear that, in making out the foregoing book, I have, to the best of my skill and judgment, faithfully pursued the ordinances of the city in the execution of the duties of my office;" with the certificate of some officer authorized to administer an oath, that it has been taken and subscribed before him. (Code 1899.)

31. Each book shall be retained in the commissioner's office. The copies shall, on or before the first day of June, be delivered to the auditor. Such copies shall be examined by or under the direction of the committee on finance, who shall cause all errors therein to be corrected. The auditor shall keep one in his office, and deliver the other to the city collector. (Code 1899.)

32. No payment shall be made to the commissioner on account of his services until certified by the finance committee to have been satisfactorily performed. After such certificate, the auditor shall, on the order of the chairman of the committee, pay to the commissioner one-half of one per centum upon the amount of tax levied upon the property assessed and returned upon his real and personal property books and upon licenses assessed on merchants, manufacturers, etc. He shall forfeit, unless specially excused by the committee on finance, ten dollars per day for each day beyond the first day of June during which he may fail to deliver the copies of the books to the auditor, and the auditor shall deduct the same from his compensation. (Code 1899.)

33. In addition to the duties prescribed by this chapter, the commissioner shall perform such other services as the city council or committee on finance may require of him, pertaining to the assessment of taxes. (Code 1899.)

34. The commissioner, in person or by one of his deputies, shall attend

at his office each day, except Sundays, from eight till nine o'clock A. M., for the transaction of business. (Code 1899.)

35. That it shall be the duty of the city clerk to certify to the commissioner of revenue of the city of Richmond copies of all ordinances which have been already passed and such as may be hereafter passed, which grant the right to connect any property located outside of the city limits with any city sewer, water or gas main, on condition that such property shall be assessed with and pay property taxes on the property so connected, though located beyond the city limits, and thereupon it shall be the duty of the commissioner of the revenue to enter upon the land-books of the city of Richmond all such property in the name of the owner and he shall annually assess such property in the name of the owner or owners, in accordance with the provisions of such ordinance so granting such privilege. (December 18, 1903.)

36. The taxes required to be assessed under the foregoing section shall be collected as other taxes are required to be collected. (December 18, 1903.)

37. That the assessors of real estate for the city of Richmond, in making the reassessment of real estate, once in five years as required by the constitution and statutes passed in pursuance thereof, are hereby directed and required, in the same manner to examine, and on the same basis as to value, to assess all real estate owned by the city of Richmond, and to report the same in all respects as if such real estate were liable to taxation, except that the real estate located in each ward shall be grouped at the end of the list of assessments for the ward in which the same is located. It shall be the duty of the heads of the several departments, or other officers of the city of Richmond, having in their possession or under their control data or information which will aid the assessors in carrying out the foregoing section, to furnish the same on the written application of the assessors. (April 17, 1905.)

CHAPTER 15.

CONCERNING THE LEVYING OF TAXES.

1. There shall be levied and collected for each fiscal year the taxes following, to-wit: (February 13, 1906.)

2. On all real estate not exempt from taxation, one and four-tenths per centum of the value. (February 13, 1906.)

3. On all personal property except such as is exempt from taxation, one and four-tenths per centum of the value, and herein shall be included money and credits, stock and capital employed, all shares of stock in any bank, and all shares of stock in any corporation doing business in the city upon the capital stock of which no tax is imposed. The taxes upon such shares of stock in any bank, located and doing business in the city, are to be paid by the cashier or principal officer of the company. The taxes upon all shares of stock shall be upon the market value of the same, and shall be assessed as taxes are assessed upon other moneyed capital. The provisions of this ordinance shall apply to the taxes for the year 1906, and every year thereafter. (February 13, 1906.)

4. On each male resident of the city a poll tax of fifty cents, to be applied only to the support of public schools. (February 13, 1906.)

5. All persons desiring to prosecute in the city any business as auctioneers, agents for the sale or renting of real estate, sub-agents for the sale or renting of real estate, commission merchants, traders, brokers, private bankers, keepers of ordinaries, houses of private entertainment, eating houses or cook-shops, city scavengers, surveyors, title examiners (other than licensed attorneys), advertising agents, bill posters and distributors, and such other business as cannot, in the opinion of the committee on finance, be reached by the ad valorem system, shall pay a special license tax for the privilege of prosecuting such business. Such persons shall be divided into thirteen classes, and the tax to be paid by them shall be, if of first class, eight hundred dollars; second, six hundred dollars; third, four hundred dollars; fourth, three hundred dollars; fifth, two hundred and fifty dollars; sixth, two hundred dollars; seventh, one hundred and fifty dollars; eighth, one hundred dollars; ninth, seventy-five dollars; tenth, fifty dollars; eleventh, thirty dollars; twelfth, twenty dollars; thirteenth, ten dollars. (December 18, 1906.)

6. The taxes imposed by the preceding sections shall not include the privilege of selling, by wholesale or retail, any wines or spirituous liquors, or a mixture thereof, except by apothecaries furnishing the same as medicines on the prescription of a licensed physician. (February 13, 1906.)

7. Junk dealers shall pay a special license tax of one hundred and fifty dollars per annum, but no license shall be granted to any person to conduct the junk business until he shall file with the commissioner of the revenue a certificate in writing from the board of police commissioners certifying to the good character of the person making such application, that he is a fit person to conduct such business, and, in case such person had been previously engaged in such business, further certifying that during the time so engaged such dealer had fully complied with the provisions of section 3937a of the Code of Virginia, 1904, and the certificate issued by the commissioner of the revenue to such person shall state that the required certificate had been furnished before such certificate was granted. (July 19, 1907.)

8. Pawnbrokers shall pay a special license tax of three hundred dollars per annum. (February 13, 1906.)

9. All lawyers, dentists, artists, architects, contractors, veterinary surgeons, and measurers or inspectors of lumber, shall be divided into six classes, and shall pay a license tax, if in first class, one hundred dollars; second, seventy-five dollars; third, fifty dollars; fourth, thirty dollars; fifth, twenty dollars; sixth, ten dollars. (February 13, 1906.)

10. No person other than a salaried officer acting in behalf of an insurance company whose principal office is situated in the city, and taxed upon its capital and assets, shall engage in the business of soliciting or receiving applications for insurance in any insurance company, or receiving and forwarding directly or indirectly, through any agent thereof, payments of premiums on policies already issued by any insurance company, without obtaining a license. Every person engaged in such business, and communicating directly or indirectly, through any other than its licensed resident agent, with an insurance company whose principal office is not situated in the city, shall be deemed an agent of such company. All other persons engaged in such business shall be deemed sub-agents. (February 13, 1906.)

11. Agents of insurance companies shall be divided into five classes, and pay a license tax, if in first class, five hundred dollars; second, four hundred dollars; third, three hundred dollars; fourth, two hundred dollars; fifth, one hundred dollars. (February 13, 1906.)

12. Sub-agents of insurance companies shall be divided into five classes and pay a license tax, if in the first class, one hundred dollars;

second, seventy-five dollars; third, fifty dollars; fourth, twenty-five dollars; fifth, ten dollars. (February 13, 1906.)

13. Keepers of boarding or livery stables shall pay a license tax of one dollar per stall for each stall in such stable or stables; keepers of stables in which stalls are rented for animals, owners of said animals caring for or feeding same, or impounding lots or yards shall pay a license tax of five dollars per annum. (February 13, 1906.)

14 (a). Public theatres, skating rinks and rooms used for public exhibitions, shall be divided into six classes, and pay a license tax, if in first class, four hundred dollars; second, three hundred dollars; third, two hundred dollars; fourth, one hundred dollars; fifth, fifty dollars; sixth, twenty-five dollars.

(b) Small shows, including what are known as side shows; moving pictures or kinetoscope shows or like shows; ferris wheels; toboggan slides or switch-backs; collections of penny-in-the-slot machines; strength testers; throwing balls; rings or cane games, known as baby, knife or cane racks; merry-go-rounds; carousals; swimming pools; dancing pavilions; or any indoor or outdoor show where any fee or admission charge is made for entrance or entertainment, when permanent, shall be divided into six classes and pay a license tax, if in first class, three hundred dollars; second, two hundred dollars; third, one hundred dollars; fourth, fifty dollars; fifth, twenty-five dollars; sixth, ten dollars. When not permanent they shall pay a license tax as prescribed in section nineteen of this chapter.

(c) Any show or exhibition mentioned in the preceding paragraphs of this section exhibiting within the jurisdiction of the city shall be subject to the above named license taxes in accordance with section ten hundred and thirty-two of Virginia Code of 1904. (February 13, 1906.)

15. (a) Express, telegraph and telephone companies having a place of business in the city, for the privilege of doing business within the city of Richmond, but not including any business done to or from points without the State, and not including any business done for the government of the United States, its officers or agents, shall be divided into four classes, and shall pay a license tax for such privilege, if in first class, five hundred dollars; second, four hundred dollars; third, three hundred dollars; fourth, two hundred dollars. But nothing in this section shall be construed to affect, impair, or repeal the rights of the city, under section ten of chapter eighty-eight of Richmond City Code of 1899, or under any amendment thereof, requiring telegraph and telephone companies to pay to the city of Richmond annual compensation for the use of its streets, parks and alleys in the planting of posts therein and stringing wires thereon, or constructing conduits along or under the streets and alleys and running wires therein.

(b) Electric lighting and power companies for the privilege of doing business in the city, shall be divided into three classes, and shall pay a license tax, if in first class, one thousand dollars; second, eight hundred dollars; third, five hundred dollars; but nothing in this section shall be construed to alter, impair or repeal the right of the city to make an annual charge for the setting of poles, or the laying of conduits in the streets or alleys of the city, for the purpose of running wires thereon or therein, or for any other charges or special taxes that have been or may be agreed upon, between the city of Richmond and the grantee of any franchise rights; nor to prevent or impair the right of the city hereafter to assess and collect a tax upon the value of any franchise already, now, or hereafter granted. (February 13, 1906.)

16. Building and loan associations shall be taxed as follows: The specific license tax upon every such company or association for the privilege of doing any business in this city shall be fifty dollars, provided the capital of such company actually paid in, whether from paid up stock or partially paid stock, is not more than twenty-five thousand dollars; if the capital paid in is more than twenty-five thousand dollars and not more than fifty thousand dollars, the tax shall be seventy-five dollars; if the capital paid in is more than fifty thousand dollars and not more than one hundred thousand dollars, the tax shall be one hundred dollars; if the capital paid in is more than one hundred thousand dollars and not more than one hundred and fifty thousand dollars, the tax shall be one hundred and twenty-five dollars; if the capital paid in is more than one hundred and fifty thousand dollars, and not more than two hundred thousand dollars, the tax shall be one hundred and fifty dollars; if the capital paid in is more than two hundred thousand dollars, and not more than two hundred and fifty thousand dollars, the tax shall be one hundred and seventy-five dollars; if the capital paid in is more than two hundred and fifty thousand dollars, and not more than four hundred thousand dollars, the tax shall be two hundred and fifty dollars; but on capital exceeding four hundred thousand dollars the tax shall be fifty dollars for each additional one hundred thousand dollars thereof; provided, that as to any non-resident building company or association doing business in this city, it shall pay a license tax equal in amount to that paid to the State under an act of assembly approved March 5, 1894, as to imposing a tax on building and loan associations; and provided further, that any company doing business on a purely mutual plan, and whose business is confined solely to the city or county where organized, the tax shall be fifty dollars. Any association or agent doing business in this city without having first obtained a license therefor shall pay a fine of not less than fifty nor more than five hundred dollars. (February 13, 1906.)

17. Hawkers and peddlers shall pay a license tax of one hundred dollars per annum for the privilege of selling on the streets, and when vehicles are used, a separate license shall be obtained for each vehicle used, but no more than two salesmen shall accompany any wagon, and each wagon shall be plainly marked with the name of its owner and his street address; in addition to the said peddler's license, the regular wagon license shall be paid; but no license shall be required of persons peddling farm products, grown or produced by themselves, when sold outside of and not within the limits of the regular market houses and sheds of the city, and it shall be unlawful for any person peddling under the provisions of this section to allow his wagon to stand in the street, so as unreasonably to obstruct other persons in the reasonable use of the streets. (January 15, 1910.)

18. The committee on finance shall classify all persons, firms or corporations prosecuting, or proposing to prosecute any business assessed with a class tax; in performing which duty they may require the attendance and advice of the commissioner of the revenue, the city collector or any city officer. They shall return such classification to the auditor on or before the fifteenth day of March. He shall promptly give notice, by due advertisement, in two or more of the city newspapers, that such classification is lying in his office, open to public inspection, and that at times and places therein to be specified, within the next ensuing ten days, the committee will meet to hear all persons, firms or corporations complaining of the license assessed against them. After such modifications as the committee may direct, a copy of such classification shall be immediately furnished to the commissioner of the revenue, who shall at once prepare two full and complete copies of all licenses assessed, one copy of which he shall deliver to the auditor and one copy to the city collector. No change in such classification shall afterwards be made, except upon the order of the city council. Any person aggrieved by the action of the committee may appeal to the city council at its next regular meeting; but thereafter no application for any change shall be entertained, except upon the recommendation of the committee on finance. (February 13, 1906.)

19. Keepers of billiard, pool or bagatelle saloons shall pay a license tax of fifty dollars per year for the first table in each saloon and twenty-five dollars per year for each additional table; bowling alleys, of twenty dollars per year for the first alley, and ten dollars per year for each additional alley; shooting galleries, of twenty-five dollars per year; fruit, nut or candy stands, of ten dollars per year; but no stand to be located on the public sidewalks; hobby-horse, merry-go-round and other like machines, when transient, of ten dollars per month each, but no license shall be issued for less than one month; selling medicine or other com-

modities within the jurisdiction of the city by other than a regular licensed merchant, ten dollars per week, no license to be issued for less than one week. (March 17, 1908.)

20. Any person, firm or corporation, having on a street, alley or other place in the city, or in shops, stores, hotels, boarding houses, depots, public or private rooms, or in any place, a slot machine of any description, into which are dropped pennies or nickels or coins of other denominations to dispose of chewing gum, or other articles of merchandise, or for the purpose of operating musical or other devices that operate on the nickel-in-the-slot principle used for gain, except as a pay telephone, shall for every such machine or musical or other devices, as the case may be, pay a license tax of one dollar per year. A separate license shall be issued for each and every machine, which shall at all times be attached to the machine for which the license was paid. (December 18, 1906.)

21. All theatrical performances, save at a licensed theatre, or licensed room for public exhibitions, shall pay a tax of ten dollars per week; nor shall any such license be issued for a period of less than one week. Circuses or kindred exhibitions shall be divided into three classes, and pay a license tax for exhibiting within the corporate limits of the city, which tax shall include the privilege of parading over the streets of the city one time, if in first class, three hundred dollars per day; second class, two hundred dollars per day; third class, one hundred dollars per day. If exhibiting outside of the corporate limits of the city, a license tax of one hundred dollars shall be charged for the privilege of parading over the streets of the city one time; and every other public show, exhibition or performance, except in a theatre, or licensed room for public exhibition shall pay a tax of ten dollars per week; but no tax shall be required on a performance consisting only of vocal or instrumental music, or from a lecturer on any subject of literature, science or art, or from a mechanic or artist exhibiting a work, the product of his own invention, labor or skill, or a model illustrating such work, or from a farmer or stock-raiser exhibiting productions or stock of his own raising, and that the mayor may, in his discretion, dispense with the tax in the case of any performance, exhibition or show for a religious or charitable purpose exclusively. (May 17, 1909.)

But where the circus or kindred exhibition is had or exhibited beyond the corporate limits of the city of Richmond, but within one mile thereof, there shall be paid to the city of Richmond a license fee of one hundred and fifty dollars for every day on which such performance or exhibition is held, to reimburse the city of Richmond for the expense incident to providing police protection for such circus or exhibition and for persons attending the same. Any person who shall hold such circus or conduct

such exhibition of a kindred kind, without first paying such license fee to the city of Richmond shall be liable to a fine of not less than one hundred nor more than two hundred dollars for each exhibition, recoverable before the police justice of the city of Richmond. (May 17, 1909.)

22. License to any circus or kindred exhibition, shooting gallery, hobby-horse, merry-go-round or like machines and for the privilege of selling medicine or other commodities on the highways or any open lot within the city, shall only be issued on permit signed by the mayor. (February 13, 1906.)

23. (a) That it shall not be lawful for any person known as a ticket broker to buy and sell or exchange railroad or steamship tickets in the city of Richmond, until he has obtained a license so to do and paid to the city of Richmond a license tax of twenty dollars for such privilege, and shall also have deposited with the auditor of the city of Richmond a certified check on some Richmond bank for the sum of three hundred dollars, payable to the auditor of the city of Richmond, which sum shall be forfeited and paid to the said city in the event that any person shall sustain loss or damage by reason of buying or exchanging any ticket from the person so to be licensed, and to be held by the said city for the benefit of such person sustaining such loss or damage; but the said auditor shall not collect said check, and no person shall be indemnified out of the same, unless such person shall have within thirty days after the sale or exchange wherein he suffered loss or damage filed a written notice of his claim with said auditor; and if no such notice be filed within one year from the expiration of the time for which such license is granted, the said check shall be returned to the person depositing the same.

(b) Any person who shall violate the provisions of the foregoing section shall be liable to a fine of not less than fifty nor more than one hundred dollars for each day's default in continuing or conducting such business, without first procuring a license therefor and depositing such check, as aforesaid; the fine to be imposed and collected by the police justice of the city of Richmond, and, for default in the payment of such fine, the offender may be imprisoned by order of the police justice for a period not exceeding thirty days in the city jail. (February 13, 1906.)

24. Licenses for carts, trucks, automobiles and other vehicles, for the privilege of keeping dogs, goats or other animals, and for the privilege of hawking or peddling as provided in section seventeen of this chapter, shall be issued by the treasurer upon payment to him of the amount of tax as prescribed by the ordinances of the city. For every such license the following tax shall be paid: for every cart, dray or wagon drawn by one horse or mule, seven dollars; if drawn by two animals, ten dollars; if drawn by three, fifteen dollars; if drawn by four, twenty dollars; un-

less the body of the vehicle be on elliptic springs, or on wheels with tires not less than four inches wide, in which case the tax shall be seventeen dollars and fifty cents; for a buggy kept for hire, five dollars; for a hack or any other four-wheeled carriage drawn by two horses kept for hire, ten dollars; for automobiles and other horseless vehicles kept for hire, of seating capacity, in addition to chauffeur, for four persons or less, ten dollars; from five to eight persons, fifteen dollars; for nine or more persons, twenty-five dollars; auto-wagons or other horseless vehicles used for hauling or delivery of merchandise of any description; ten dollars; for a male dog, one dollar; for a female dog, two dollars; for a male goat, two dollars; for a female goat, one dollar. Nothing in this section shall be construed to interfere with the police inspection of automobiles as provided by the ordinances of the city. (December 18, 1906.)

25. It shall be the duty of the committee on street cleaning to provide annually the tins and medals to evidence the payment of the licenses as prescribed in section twenty-four of this chapter, and section three of chapter thirty-six of the Code of 1910, and to deliver the same to the auditor fifteen days before the beginning of the fiscal year. It shall be the duty of the auditor to charge to and deliver to the treasurer in bulk all dog and goat medals, license tins for vehicles, automobiles and other horseless vehicles, and hawkers and peddlers, and to list and charge to the treasurer all licenses set out in section twenty-three and to require daily statements and settlements for all moneys received by the treasurer on account of any of the said licenses; and it shall be the duty of the treasurer to deliver to every party paying any of the licenses set out in section twenty-four the proper tag or tin to evidence the payment of said license, in addition to a receipt for the amount paid. (December 18, 1906.)

26. All taxes and licenses assessed excepting those set out in sections twenty-four and twenty-five shall be charged by the auditor to the city collector, and the city collector shall proceed to make bills and collect same and make returns to the auditor and treasurer as prescribed by the ordinances of the city. (February 13, 1906.)

27. Annual licenses shall expire with the last day of the fiscal year. If the business for which a special license tax is required be commenced after the beginning of the fiscal year, application shall be made to the commissioner of the revenue, who shall, if such business be subject to a class tax, by authority of the committee on finance assign the applicant to their proper class, and report the amount of tax to the auditor and city collector. The tax upon the license shall be abated proportionally to the period of the year which has elapsed; provided, however, that in no case shall it be less than one-fourth of the annual tax. (February 13, 1906.)

28. Upon the surrender of any license with an assignment on the back thereof, a new license may be issued without charge for the unexpired term to the assignee; provided, that he shall comply with all the conditions upon which such license had been originally issued. (February 13, 1906.)

29. The receipt of the collector, acknowledging payment of the license tax and reciting the character of the business authorized, shall be a sufficient license for prosecuting such business. (February 13, 1906.)

30. The collector shall annually upon the receipt of the assessment of license taxes proceed to collect all such license taxes as have not been previously paid. All license taxes shall be paid to the collector on or before the 1st day of May in each year; and any person liable to such taxes who shall prosecute his business after the first day of May in any year, without having paid such license tax shall be liable to a fine of not less than one nor more than ten dollars for every week of default after the said first day of May in each year. The offender upon failing to pay the fine imposed may be imprisoned in the city jail for a term of not less than five nor more than thirty days by the police justice, and unless he is so imprisoned, the said justice shall, unless an appeal be taken forthwith issue a writ of fieri facias for said fine directed to the sergeant of the city of Richmond. Such writ must be made returnable to the police justice within sixty days from its issuance. The clerk of the said police justice shall keep an execution book, which shall be so arranged and kept as to show on a stub, from which each of the executions aforesaid shall be detached, the date of its issuance, the name and address, if known, of the person or persons against whom it is issued, the amount of the fine for which it is issued and the return made thereon by the city sergeant, with the date of such return; and for any failure to do so he shall be liable to a fine of not less than five nor more than ten dollars, to be imposed by the police justice. The said collector shall on the first week day following the said first day of May, and every week thereafter until said license taxes are paid or collected, report to the police justice a list of all persons liable to such taxes, and in default, and for any failure so to do he shall be liable to a fine of not less than ten nor more than fifty dollars for each delinquent not reported, to be imposed by the police justice. If any such offender has been duly summoned and fails to appear the trial may be proceeded with by said justice as if the offender had appeared and entered a plea of not guilty to the charge against him; and if such offender has not been found the said justice may proceed in the manner prescribed by law to summon him and compel his appearance. But nothing in this section shall be construed to relieve the collector from the duty imposed on him by law of collecting the amount due by any person

on account of such license tax by levying or distraining therefor or otherwise. (July 12, 1910.)

31. Any person who shall hereafter draw for another person any plan or design for any building of any description, and for which compensation shall be received, shall be deemed an architect, and shall take out the license required of an architect. (February 13, 1906.)

32. All persons, offering to sell goods as bankrupt, assignee, trustee, fire-stock, or of like nature, which shall not have been in said city, at least thirty days before such offer, and upon which no tax shall have been paid for at least that length of time by some person owning said goods and taxed as a merchant by said city shall pay a license tax of twenty dollars per day. A license may be issued under this section for the period of twelve months or any part thereof, not less than one day. Any person liable to such tax who shall prosecute his business without having paid the same shall be liable to a fine of not less than fifty and not more than one hundred dollars, and each day's default shall be made a separate offence. Said fine to be imposed and collected by the police justice of the city of Richmond. (February 13, 1906.)

33. All venders of goods brought to the city of Richmond for sale at auction or auctioneers of such goods shall, unless the same be sold under the license of an auctioneer, at the established place of business of said auctioneer, and within the space of two days from beginning of such sale, pay a license of not less than two hundred dollars per day. If any person or company shall bring to the city two or more quantities of stocks of goods for sale at auction at different times, but within two months of each other, such person or company shall be deemed to be subject to the provision of this ordinance and shall take out the license above mentioned. But nothing in this ordinance shall apply to the sale of second-hand books or furniture, or to the sale of farm products or of animals. A license may be issued under this ordinance for the period of twelve months or any part thereof, not less than one day. Any person liable to such tax who shall prosecute his business without having paid the same shall be liable to a fine of not less than one hundred and not more than two hundred dollars, and each day's default shall be a separate offence. Said fine to be imposed by the police justice of the city of Richmond. (February 13, 1906.)

34. In any case the mayor may suspend a license for any performance, exhibition, or show, until the house or room shall have been examined by the inspector of public buildings, or three citizens appointed for the purpose by his warrant, and until he is satisfied by their report, in writing, that such house or room has doors and openings of such number and so arranged as, in the case of fire, to afford facilities for escape, and that the

same is sufficiently strong and safe. Every such report shall be filed by the mayor in the auditor's office. (February 13, 1906.)

35. If any person shall attempt to exercise any privilege mentioned in section twenty-one of this chapter without a license, or contrary to the orders of the mayor, he shall be subject to a penalty of not less than ten dollars nor more than twenty dollars for each offence, and shall also be liable for the license tax. (February 13, 1906.)

36. It shall be unlawful for any person to sell, either publicly or privately, upon any street, alley or other public place of the city of Richmond, horses or mules, within one hundred (100) yards of any place where the sale of horses or mules is being conducted by a duly licensed auctioneer at his usual place of business. Any person violating this section shall be liable to a fine of not less than ten nor more than one hundred dollars for each offence. (July 15, 1904.)

CHAPTER 16.

CONCERNING THE COLLECTION OF TAXES.

1. The person elected to office of collector of the city taxes shall give bond, with sureties, in an amount not less than fifty thousand dollars, to be approved by the city council and entered upon their records. (Code 1899.)

2. The collector, may, with the consent of the city council, appoint one or more deputies, who may be removed from office by said collector, by the mayor or by the city council. During the collector's continuance in office, his deputy may discharge any of the duties of the office of collector; but the collector's and his sureties shall be liable therefor. (Code 1899.)

3. The collector shall annually give notice in at least three of the daily newspapers of the city, for fifteen days prior to the fifteenth day of June, that he will attend at his office daily, between the hours of nine o'clock A. M. and six o'clock P. M., from the fifteenth to the thirtieth of June, inclusive, for the purpose of receiving from any person charged with city taxes, the whole or one-half of the amount of tax charged; and that five per centum will be added to the whole amount of tax charged in every case where the party assessed shall fail to pay the whole or one-half within the time so limited. Whenever any person shall fail to pay on or before the said thirtieth of June of each year the whole or one-half of the amount of tax charged against him or her, there shall be added five per centum upon the whole amount of the tax so remaining due. The collector shall, in like manner, give notice for fifteen days prior to the fifteenth day of December that he will attend at his office daily, between the above-mentioned hours, from the fifteenth to the thirty-first day of December; inclusive, for the purpose of receiving from any person who has already paid one-half only of the city taxes charged to him, the remaining half; and that five per centum will be added to the amount of said remaining half of the tax charged, in every case where the party assessed shall fail to pay the said remaining half within the time so limited. When any person shall have paid, on or before the thirtieth of June one-half of the tax charged for that year, but shall fail to pay, on or before the said thirty-first day of December of each year the remaining half of said tax, there shall be added five per centum upon the amount of the half so remaining due. (Code 1899.)

4. The collector shall, daily, from the fifteenth to the thirtieth of June, inclusive, and from the fifteenth to the thirty-first of December, inclusive, pay into the city treasury the amount received by him for city taxes during the said periods. The amount of taxes received by the collector between the thirtieth of June and the fifteenth of December, and between the thirty-first of December and the fifteenth of June following, he shall pay into the city treasury on Wednesday of every week. (Code 1899.)

5. The collector shall upon receipt of the real estate and personal property assessment books from the commissioner of the revenue prepare proper and suitable tax bills in the name of the assessed showing the items of tax, to-wit: for real estate, street location, number of feet fronting, assessed value, culvert tax, areas, vault or balcony tax, and total; for personal property, showing the value of personal property assessed and the poll tax, if any, and total. The collector shall properly list each year upon books prepared for the purpose, in alphabetical order, the names with the amounts due from all persons and others for real estate and personal tax separately, and he shall properly credit on said books all payments on account of same collected by himself, showing whether one-half or the whole amount is paid, stating the cash-book reference and such other information as will furnish an exact record of all payments. He shall also enter upon and properly index all pipe connection and paving bills placed in his hands for collection, and properly credit the date of payment of each bill on said record so long as the bills remain in his hands. (Code 1910.)

6. The collector shall proceed to collect all of the taxes assessed on the books of the commissioner of the revenue, and all taxes or assessments, of which an account or statement is delivered to the collector under any ordinance of the city, as long as the same are allowed by the city charter and by the ordinances of the city to remain in his hands for collection. (Code 1899.)

7. If all taxes with which any person or any estate of a decedent is assessed be not paid before the first day of September, the collector shall distrain, except where one-half thereof has been paid under the third section, or except the same be suspended by order of the committee on finance, who shall report the reason therefor to the next meeting of the city council. (Code 1899.)

8. Any goods or chattels in the city belonging to the person or estate assessed with taxes, may be distrained therefor, and the distress shall be for a sum sufficient to include all expenses for hauling, storage, insurance, or other necessary costs attending the seizure and sale of the goods or chattels so distrained. (Code 1899.)

9. The goods and chattels of the tenant or other person in possession, claiming under the party or estate assessed with taxes on land, may be distrained, if found on the premises. But when taxes are assessed wholly to one person on a lot, part of which has become the freehold of another by a title recorded before the commencement of the year for which such taxes are assessed, the property belonging to the owner of that part shall not be distrained for more than a due proportion of such taxes. And the owner of such part may redeem that part from any lien for delinquent taxes in favor of the city charged against the entire property by paying such proportion of the past-due taxes, penalties, etc., as the commissioner of revenue, chairman of finance committee, and city attorney may deem just. Said commissioner shall, on the application of such owner, examine and determine what amount should be paid, and certify the same to the collector of delinquent taxes, specifying the years for which such payment is allowed, and the collector of delinquent taxes shall receive the amount so ascertained and receipt therefor on a copy of the certificate of the commissioner. The city auditor shall, upon presentation of such receipt, make a minute of the same on the delinquent tax-book for each year, for which payment is so made, opposite the entry of the tax against the entire lot. (Code 1899.)

10. There shall be a lien upon the goods and chattels belonging to any person assessed with taxes on personal property on and after the first day of February of the year in which said taxes are assessed and for license taxes assessed against such person from the date of the assessment of such license tax, and no deed of trust or mortgage upon goods or chattels shall prevent the same from being distrained, or levied on, and sold for taxes assessed against the grantor in such deed, whilst such goods and chattels remain in the grantor's possession; nor shall any such deed prevent the goods and chattels conveyed from being levied on, or distrained, and sold for taxes assessed thereon, no matter in whose possession they may be found. (July 10, 1910.)

11. Any person indebted to or having in his hands estate of the party assessed with such taxes, may be applied to for payment thereof out of such debt or estate, and a payment by such person of the said taxes, either in whole or in part, shall entitle him to a charge or credit for so much on account of such debt or estate against the party assessed. If the person applied to do not pay so much as it may seem to the officer ought to be recovered on account of the debt or estate in his hands, the officer shall, if the sum due for such taxes is less than three hundred dollars, procure from the civil justice a summons directing such person to appear before him at such time as may seem reasonable; and if the sum due amounts to or exceeds three hundred dollars shall procure from the clerk of the law

and equity court, or of the circuit court of the city of Richmond, a summons directing such person to appear before said court on the first day of the next term thereof. And from the time of the service of any such summons the said taxes shall constitute a lien on the debt so due from such person, or on the said estate in his hands. (July 10, 1910.)

12. If such summons be returned executed, and the person so summoned do not appear, judgment shall be entered against him for the sum due for such taxes, and for the fees of the clerk and the officer who may execute the summons. (Code 1899.)

13. If the person so summoned appear, he shall be interrogated on oath, and such evidence may be heard as shall be adduced, and such judgment shall be rendered as upon the whole case shall seem proper. (Code 1899.)

14. A tenant from whom payment shall be obtained by distress or otherwise, of taxes due from a person under whom he holds, shall have credit for the same against such person out of the rents he may owe him, except where such tenant is bound to pay such tax by an express contract with such person. (Code 1899.)

15. Any officer who shall return real estate as delinquent for the non-payment of taxes, when such taxes, or any part thereof, have been received by him, shall forfeit to the city, if the return was made by design, ten times the amount of taxes so actually received, and if the return was by mistake, twice the amount. And if the collector shall return any real estate as delinquent, when he had either found, or by using due diligence might have found, sufficient property within the city liable to distress for the taxes for which such real estate is returned delinquent, he shall forfeit to the city a sum equal to five times the amount of the said taxes. (Code 1899.)

16. For horses or any live stock distrained or levied upon, the collector shall provide sufficient sustenance whilst they remain in his possession. Nothing distrained or levied upon shall be removed by him out of the city, unless where it is otherwise specially provided. A distress or levy shall be reasonable. (Code 1899.)

17. In any case of goods and chattels which the collector of delinquent taxes shall distrain or levy upon for taxes, and which he may be directed to sell by an order of the court or police justice (unless such order prescribe a different course), he shall fix upon a time and place for the sale thereof, and publish notice of the same, at least ten days before the day of sale, at the door of the court-house of the city, and on a court-day. The collector of delinquent taxes shall, at the time and place so appointed, sell to the highest bidder for cash the said goods and chattels, or so much thereof as may be necessary. (Code 1899.)

18. If such goods and chattels be mules, work-oxen or horses, they shall be sold at the court-house between the hours of ten in the morning and four in the afternoon. The sale shall be on some day of a term of the court, except where the parties shall, at or before the time for advertising the same, in writing, authorize the collector of delinquent taxes to dispense with the provisions of this section, in which case the sale shall be according to the preceding section. (Code 1899.)

19. Where there is not time on the day appointed for any such sale, to complete the same, the sale may be adjourned from day to day, until it shall be completed. (Code 1899.)

20. If there be good cause to believe that a person assessed with taxes, not on real estate, intends to remove his property out of the city, or to sell out or close his business therein, the collector may, unless such taxes be paid on demand, distrain therefor, although the first day of September may not have arrived, and although one-half thereof may have been paid. To enable the collector to ascertain the amount of taxes charged to any such person, the commissioner, if his books have not been returned, shall, on the application of the collector, deliver him a statement of such taxes. Whenever taxes are received under this section by the collector before the fifteenth day of June, the collector shall, within one week thereafter, pay the same into the city treasury. Annually, on or before the first Monday in February, the collector shall render to the auditor an account of all taxes which shall have been in his hands within the year ending on the first of February, except taxes embraced in the lists hereinafter mentioned in the twenty-first section; and shall at the same time turn over to the auditor all bills for taxes, assessments or accounts for the said preceding year. (Code 1899.)

21. The collector, annually, shall make out after the last day of December, and deliver before the first day of February, to the auditor, verified on oath, a list of property on the commissioner's book improperly placed thereon, or not ascertainable, stating in such list the names, alphabetically, of the persons charged with the taxes on such property, and the amount of such taxes; subjoined to which list the collector shall make a memorandum of any persons or property which he thinks have been omitted on the books, and of any other errors which he has reason to believe exist therein. (Code 1899.)

22. The collector shall, annually, make out a list of the taxes, other than on real estate, which remain uncollected, with the names of the persons charged with such taxes placed alphabetically; which list shall be verified by his oath, and delivered by him to the auditor on or before the first Monday in February, and a copy thereof shall be by the collector posted at the front door of the city hall during the February term of the

hustings court, and shall at the same time turn over to the auditor all the bills for the same. It shall be the duty of said collector, on the first Monday in July of the year 1886, and on the first Monday in February of each succeeding year, to turn over to the auditor of the city all bills, assessments, and accounts for all preceding years upon which there shall then remain unpaid any part of any tax or assessment due the city; and thereupon the said auditor shall turn over the same to the collector of delinquent taxes, who shall proceed to collect the same as required by section fifty-one, seventy-six, seventy-seven, and seventy-eight of the charter of the city, and by the city ordinances, and who shall have the same power to collect by the same means and processes all tax bills, assessments, and accounts, delivered to him, as are conferred by the charter and the ordinances of the city upon the collector of the city taxes. And the said collector of delinquent taxes shall, on Monday of each week, pay into the city treasury all moneys by him so collected. (Code 1899.)

23. The lists mentioned in the two preceding sections shall be examined by the auditor and laid before the city council. The auditor shall credit the collector on account of the taxes mentioned in said lists with such amount as the city council may direct; and of that mentioned in the twenty-first section he shall, as soon as practicable, deliver a copy to the commissioner, who shall correct his books as may appear proper. After such credit is directed on account of any list, the collector shall not receive any of the taxes mentioned therein, but the list mentioned in the twenty-second section shall be placed by the auditor for collection in the hands of the collector of delinquent taxes on such commission as the city council may direct. (Code 1899.)

24. If, after the collector receives such credit as the city council may direct under the preceding section and section twenty, any of the money collected on account of the taxes, assessments or accounts which shall have been in his hands remain unpaid, he, or his representatives, shall, on being notified thereof by the auditor, pay into the city treasury the amount of such taxes, assessments bills or accounts. If there be a failure to make such payment for three days after such notice, the collector shall have no commission on said amount, and the auditor shall deliver a copy of the collector's bond to the attorney for the city, who shall proceed thereon by action. Whenever the collector has distrained upon any goods for taxes or assessments, he shall prosecute, to a termination, such legal proceedings as he may have begun, and collect the amount thereby to be realized. The collector shall receive for his compensation five-eighths of one per centum of all money he shall collect and pay into the treasury. the same to be paid him on the warrants of the auditor, as he shall deposit the money collected into the city treasury. (Code 1899.)

25. The city collector shall on or before the first day of August of each year render to the auditor a sworn statement showing the total amount of the face of all tax bills of the current year placed in his hands for collection which have been paid in full or half paid up to the first day of July of the current year, and the total amount of the bills of the current year upon which nothing was paid up to July 1st, and the aggregate amount of the statement must equal the total amount of the real and personal taxes assessed for the year. Upon receipt of the statement required herein, the auditor shall forthwith estimate and charge to the city collector five per cent. penalty upon the total amount of the bills upon which no payment was made up to July 1st, and the collector shall stand charged with the said five per cent. penalty until it is paid, or the bills upon which it is charged are by him returned delinquent as now prescribed by ordinance. (Code 1899.)

26. The real estate and personal tax bills of the city, including fiduciary and license taxes, for the year 1899, and subsequent years, shall be printed upon Scotch Linen Ledger, buff paper, 19x24, 32 pounds to the ream, water-marked throughout "City of Richmond"; and, if at any time the paper above named cannot be had, then paper of the same weight, color, texture, and quality, similarly water-marked, may be used. Each bill shall have printed on its center, in figures not less than one and one-half inches high, the figures of the current year, 1899, 1900, as the case may be, and so on from year to year, which date shall be printed in some faint tint or color. There shall be also, and printed upon the paper described in this ordinance, a form of receipt for one-half of tax bills which under the ordinance are payable one-half in June of each year. Each receipt shall bear, printed on its center, the figures of the current year, 1899, 1900, and so on from year to year, not less than one and one-half inches high, in some faint tint or color. (March 19, 1900.)

27. The committee on printing and claims is hereby authorized and instructed to order, supervise, and complete the printing, numbering, and binding of the bills, slips, and receipts described herein, in such quantity as may be necessary, and to deliver them for use to the city collector. (July 14, 1899.)

28. The city collector shall provide and keep in his office a suitable book to be known as the "Daily General Cash-Settlement Book," and shall from day to day and each day enter therein the cash received in his office, whether in currency or bank checks accepted at the risk of the collector, and as hereinafter prescribed.

b. On the debit side of the book described in section 28 shall be entered first, the total amount of all money collected (including bank checks, if any), and not yet paid into the city treasury, thus:

.....19.. To balance on hand. \$...... Next there shall be entered, under the proper date of the year, month and day, the receipts of each day in the form of each day's total of each separate cash-book used in the office—say, as follows:

To receipts as per Cash-Book A.....	\$.....
“ “ “ “ “ B	\$.....
“ “ “ “ License Cash-Book	\$.....
“ “ “ “ Fiduciary Cash-Book	\$.....

and the total of any other cash-book which is now, or may be hereafter, used. The debit side of the cash shall then be footed up and the total shown. If no payment has been made into the treasury the total shall be carried forward as the debit balance for the next day, and if any payment has been made into the treasury it shall be entered on the credit side of the cash-settlement book and the difference, if any, between the two sides of the account, shall be carried forward as the balance for the next day. Each day's work shall be ruled up.

c. The cash-settlement book herein described shall truly show the total cash receipts of the office, from every source, each day, and shall designate the source of the income by the names of the books on which the several itemized payments are entered as cash but shall give only the total, for the day, of each book, as indicated in section 28-b.

d. It shall not be lawful to make any credit entry upon the said book except for amounts paid into the treasury and evidenced by the auditor's final receipt and the balance to be brought down the next day.

e. Once every week, on Wednesday, as prescribed by the charter, the debit side of the cash-settlement book must be balanced by payments into the treasury, entered on the credit side, and evidenced by the auditor's final receipts and the account ruled up.

f. Whenever the auditor demands, by authority of section forty-nine of the charter, or the city ordinances, a settlement oftener than once a week, the cash-settlement book must be balanced as required by section 27e for the regular weekly settlement. (Code 1899.)

29. Cash-book "A" and "B" in the city collector's office shall have a general heading, as follows: Cash-Book "A," City Collector's Office, and Cash-Book "B," City Collector's Office. They shall be ruled from top to bottom with columns as follows, and in the order named, from left to right: Date column; Name Tax-Payer; Ward; Real and Personal, Whole; Real and Personal, Half; Penalty; Total Paid; Total for the Day; General Total.

(A.) It shall be the duty of the collector to date truly each day's entries, add up the day's receipts, and extend the amount in the daily total column, and thence in the column "General Total," and also to add and forward each page of "General Total."

(B.) There shall be cash-books called "C" and "D," for the collation under one head of bills of various persons to be paid by one person or agent, but they must be lettered plainly "Memorandum Cash-Books," and any entries made therein must be in detail, as in the real cash-books "A" and "B."

The fiduciary cash-book shall have a printed heading, "Fiduciary Taxes," and each page shall be ruled in columns, as follows, and in the order named, from left to right: Date column; Name column; Whole; Half; Penalty; Total; Daily Total; and the several columns shall be constantly, page by page, added and forwarded. The daily total shall be daily shown and extended into the general total.

(C.) There shall be a "Supplemental Cash-Book," printed, ruled, added, and forwarded as the other books, "A" and "B," herein described, upon which shall be entered only those bills which are derived from items taken from the "Supplement," or "Supplements," added to the assessment book by the commissioner subsequent to the date when penalty attaches, and which are therefore not subject to penalty in July. The book herein described shall not be used except during the period from July 1st to December 31st of each calendar year.

(D.) There shall be a cash-book entitled "Paving, Pipe and Sewer Cash," headed accordingly, and ruled in columns, from left to right, as follows, and in the order named: Date column; Name column; Date of bill; Amount (with four sub-headings as follows, Sewer, Pipe, Paving, Grading); Penalty; Total; Daily Total; General Total.

(E.) The faint lines of all of the books herein described shall be of alternate colors of red, blue, red, green, red, and so on, to guide the clerks across the page. (March 19, 1900.)

30. It shall be the duty of the collector of delinquent taxes, on the first day of July of each year, when he makes the settlement-in-full required by ordinance, approved May 4, 1896, to make a report to the auditor which shall set forth, as to each particular class of bills in his hands; as real personal, pipe, paving, fiduciary, etc., etc., the following facts:

- (1.) Amount of bills received for collection.
- (2.) Amount of penalty added and collected.
- (3.) Amount of interest added and collected.
- (4.) Amount of the face of bills collected.

- (5.) Amount of penalty collected.
- (6.) Amount of interest collected.
- (7.) Total of rebates, cancellations, etc., ordered by council.
- (8.) Total amount of bills returned to the auditor.

The report described in this section shall be accompanied by all the unpaid bills to be returned to the auditor, as prescribed by ordinance, and shall be presented as soon as practicable after July 1st, but not later than July 15th, of each year. (Code 1899.)

31. The collector of delinquent taxes, in accordance with sections fifty-one, fifty-two and fifty-three of the city charter, may employ and use in the discharge of the duties of his office, one or more deputies who shall receive their appointment and pay from him, and be removable by him, at any time and shall also be removable by the city council or by the mayor, for cause. During the continuance in office of the person who appointed him, or them, unless he or they be sooner removed, any deputy or deputies so appointed may discharge any of the duties of the office of collector of delinquent taxes; but the collector of delinquent taxes and his surety or sureties shall be liable for the acts and omissions of the deputies, as fully and as if they were the acts and omissions of the collector of delinquent taxes. (Code 1899.)

32. The collector of delinquent taxes is hereby authorized to remit the penalty and interest due on any bills for paving or pipe connections in his hands for collection, excepting those bills which were duly presented, or notice thereof duly mailed to the owner or agent of the property liable therefor, before the same were declared delinquent. (Code 1899.)

33. It shall be the duty of the collector of delinquent taxes to deliver to the auditor, on or before the first day of July, 1896, all delinquent and unpaid bills for taxes on real estate and personal property, for paving, for sewer connections, pipe connections and other unpaid and delinquent bills up to and including the year 1894. (Code 1899.)

34. It shall be the duty of the collector of delinquent taxes to deliver to the auditor, on the first day of July, 1897, all unpaid delinquent bills for the year 1895, and on the first day of July of each year thereafter all delinquent and unpaid bills which have been in his hands for collection for twelve months. (Code 1899.)

35. It shall be the duty of the collector of delinquent taxes to make separate reports to the auditor of his collections of real estate taxes and his collections of personal taxes, itemizing both statements as to the names, the amounts, the year for which the taxes were due, and separating the principal, interest and the penalty. (Code 1899.)

36. It shall be the duty of the auditor to receive the bills mentioned in section 32 from the collector of delinquent taxes, and to close the accounts which represent those bills, as against any collector of taxes, and to carry them on proper open account. The auditor shall have the custody of the said bills, and shall store them in his vault until they are paid or otherwise disposed of by proper authority. (Code 1899.)

37. The auditor shall receive from the collector of delinquent taxes on the first day of July, 1897, all delinquent and unpaid bills for taxes, etc., for the year 1895, and shall close the accounts representing them, as against the collector of delinquent taxes, and shall carry them upon proper open accounts, and the bills shall remain in the custody of the auditor until paid or otherwise disposed of by proper authority. (Code 1899.)

38. On the first day of July of each year the auditor shall receive from the collector of delinquent taxes all unpaid delinquent bills which have been in his hands for collection for twelve months, and shall close the accounts representing the bills, as against the collector, and carry them on proper open account, and shall store the bills in his vault, where they shall remain in his custody until paid or otherwise disposed of by proper authority. (Code 1899.)

39. It shall be the duty of the auditor, annually, when the city collector makes his returns of bills delinquent in his office and before turning them over to the collector of delinquent taxes, to ascertain and add to the aggregate amount of the said delinquent bills the total amount of the penalty for delinquency, and charge the collector of delinquent taxes with both the principal and the penalty of all the bills. (Code 1899.)

40. The auditor shall require the city collector and the collector of delinquent taxes to pay in the full amount of their collections, principal and penalty (and interest, if any), and then issue his warrant on the treasurer for the amount of the commissions in favor of the city collector or collector of delinquent taxes, as the case may be; and it shall not be lawful for the city collector or the collector of delinquent taxes to reserve their commissions out of their collections. (Code 1899.)

41. The vault in committee room, No. 305, third floor, city hall, shall be for the use of the auditor, and he is hereby authorized to assume control of it, make a new combination for the lock, known only to himself and his assistant, and use the said vault for the storage of the tax bills herein placed in his custody, or to relieve the vault in the auditor's office of the accumulations therein not likely to be needed for reference. (Code 1899.)

42. All bills for taxes, which under the ordinance have been delivered to the auditor, may be paid through the collector of delinquent taxes as

hereinafter provided, and the commission allowed him shall be as hereinbefore provided. (January 15, 1904.)

43. Any person desiring to pay a delinquent bill in the hands of the auditor shall apply to the collector of delinquent taxes who shall apply to the auditor for the bill. The auditor shall deliver the bill to the collector of delinquent taxes, and immediately charge him with the amount of the bill and penalty (and interest, if any). Upon receipt of payment the collector of delinquent taxes shall receipt the bill, and within thirty days thereafter report the collection to and settle with the auditor. (Code 1899.)

44. The collector of delinquent taxes shall not make, or cause to be made, any duplicate of any tax bill in his hands, or in the hands of the auditor, or of any bill made by the city collector and delivered to him for collection. In the event that any original bill is lost or mislaid it shall be the duty of the auditor, when so requested, to make and certify and deliver to the collector of delinquent taxes a duplicate bill, and make proper record of the fact. Any violation of the provisions of this section shall subject the offender to suspension and removal by the mayor, subject to the approval of the council. (Code 1899.)

45. On July 15, 1909, or within sixty days thereafter, and in each succeeding year, the city collector shall send by mail to each and every party, or firm, who has not paid wholly or in part their taxes for the current year, a postal card stating that said taxes are due and unpaid. Said postal notice to conform at all times to the United States mail regulations, and to be worded so as not to make the city in any way liable to damages for defamation of any person's character or business standing. This section shall apply to all real estate and personal tax bills alike. (June 21, 1909.)

CHAPTER 17.

CONCERNING LOCAL ASSESSMENTS FOR PUBLIC IMPROVEMENTS.

1. The making and improving of walkways upon streets and the improving and paving of alleys may be ordered by the council of the city of Richmond and the costs thereof apportioned in pursuance of an agreement between the city and all of the abutting land owners, and in the absence of such agreement, improvements, the cost of which are to be defrayed in whole or in part by such local taxes or assessment, may be ordered on a petition from not less than three-fourths of the land owners to be affected thereby, or, in other cases, by a two-thirds vote of all of the members elected to the council; but when no petition is so filed notice shall first be given as hereinafter provided to the abutting land owners notifying them, when and where, they may appear before the committee on streets of the council of the city of Richmond, to whom the matter shall be referred, to be heard in favor of or against such improvement, and the said committee, with at least three members thereof present from the common council and two members thereof from the board of aldermen, after such hearing, shall report to the council whether it deems it expedient to make the proposed improvement, and if so what proportion should be assessed against the abutting land owners, and thereupon the council shall determine by resolution whether it is expedient to make the proposed improvement, and if so what proportion of the expense shall be paid by the city, if any, and what by the abutting owners, and shall, by the same resolution, direct the work to be done under the supervision and direction of the proper committee and the expense, as soon as ascertained, reported to the clerk of special assessments of the council of the city of Richmond. (October 19, 1908.)

2. It shall be the duty of the said clerk of special assessments, as soon as practicable, after receiving such report, and after making personal inspection of the location and condition of each piece of the property to be affected, to apportion the expense of such improvement, exclusive of the part, if any, which may have been determined to be borne by the city, among the owners of the real estate abutting on or contiguous to the street or alley whereon such improvement is made, but in no case shall said clerk apportion or assess to any land owner a sum in excess of the peculiar benefit resulting therefrom to such owner, and said clerk shall,

as soon thereafter as practicable, make up a written statement showing the separate assessments against each property owner, the location and extent of the property and on what account the assessment is made, and, after being completed, certified and signed by him shall be forthwith filed with the clerk of the committee on local assessments, where it shall be open to the inspection of all persons interested in such assessment for a period of ten days. (October 19, 1908.)

3. The clerk of the committee on local assessments shall, after the expiration of said period of ten days, give written notice to each of said owners of the amount assessed against him, citing him to appear before the committee on local assessments at some regular session of said committee not less than ten days after the service of such notice, the time and place to be designated therein, to show cause, if any he can, against such assessment. Every apportionment not objected to shall be confirmed, but any land owner wishing to make objection to such apportionment may appear before said committee in person or by counsel, at the appointed time and place and state his objection, orally or in writing, and said committee, after hearing said objections, shall either affirm such apportionment or alter or modify the same. If the objections of such owners be overruled, in whole or in part, he may, within thirty days thereafter, but not afterwards, have an appeal as of right to the hustings court of the city of Richmond, making application in writing therefor to the said clerk of the committee, and upon such appeal being so taken, the clerk of said committee shall immediately deliver to the clerk of the said hustings court the original notice relating to such assessment with the judgment of the committee on local assessments endorsed thereon, and the clerk of said court shall docket the same. Every such appeal shall be tried by the court or the judge thereof in a summary way without pleading in writing and without a jury, in term time or vacation, after reasonable notice to the adverse party, and the hearing shall be *de novo*. (October 19, 1908.)

4. The notices required by this ordinance shall be given by personal service on all persons entitled to such notice, except that notice to an infant or insane person may be served on his guardian or committee, and notice to a non-resident may be mailed to him at his place of residence or served on any agent of his, in any case where the owner is a non-resident, and where the owner's residence is not known; such notice shall be given by publication in some newspaper published in the city of Richmond once a week for two successive weeks, the last publication to be made at least ten days before the date on which the party is cited to appear. (October 19, 1910.)

5. The assessments or apportionments for which any land owner is liable under proceedings taken under this ordinance, as well as under any agreement with the city, shall, as soon as the same become final, be charged against each owner on suitable books for the purpose, to be kept in the office of the clerk of special assessments, which shall show the name of the owner, the location and description of the property and the amount assessed against same, and thereupon he shall make out bills for the same and furnish them to the auditor, who shall make proper entry thereof on his books, and then place them in the hands of the city collector of taxes, to be collected and accounted for in the manner prescribed for the collection of other city taxes, and the sums so ascertained and charged shall be a lien upon real estate so charged with said assessment from the time when the work of improvement shall have been completed, and may be enforced by suit in equity; provided, however, that as against a purchaser for value and without notice, such assessment or tax shall not be a lien except and until the resolution or ordinance ordering such improvement shall have been recorded by the clerk of special assessment in a book kept in the office of the city clerk for that purpose only, and designated as "Record Book of Resolutions and Ordinances of the Council, Ordering Public Improvements at Expense of Abutting Owners," showing the ownership and location of the property to be effected by the proposed improvements, and the same indexed in the name of the city and of the owner of the property. (June 18, 1910.)

6. The city engineer shall make a preliminary report to the clerk of special assessments, giving a complete list of all the work of public improvements ordered to be done, showing the names of the different property owners having property abutting on or contiguous to the said work of public improvements, the date of contract providing for the doing of such work and the time allowed therefor; and the said clerk of special assessments shall enter in a book to be kept in his office for the purpose, open for the inspection of all persons interested, the exact information received from the city engineer, and he shall also, upon the request of any property owner affected thereby, obtain from the city engineer, in advance or as early as possible, the cost of such work abutting such property, and when so requested shall make out and present a bill for same, which charge, however, shall be subject to correction by the committee on local assessments upon the proper presentation of the same to said committee as hereinbefore provided. (October 19, 1908.)

7. Whenever all of the owners of property abutting on or contiguous to any public alley or street desire to have such alley or street, or any part thereof, graded, paved, or to have the same otherwise improved, or to have a public sewer or culvert constructed therein, and they are willing

to pay all of the expense of such improvement in proportion to the number of feet of each, abutting on or contiguous to such improvement, they may present a petition, in writing, to the council, signed by them or their agent, the authority of such agent to be filed with the petition, praying that such improvement be made at their expense, to be apportioned according to the number of feet of each parcel of land abutting on or contiguous to such alley or street in which such improvement is proposed to be made; and thereupon the council may, by joint resolution accept the proposal of said petitioners and order such improvement to be made under the provisions of this section, and when the same has been completed and the costs thereof ascertained, the said work shall be measured by the clerk of special assessments and the costs apportioned among the owners petitioning the council according to the number of feet abutting on or contiguous to such improvement, and shall make out bills for the same and furnish them to the auditor, who shall make proper entry thereof on his books, and then place them in the hands of the city collector, to be collected and accounted for in the manner prescribed for the collection of city taxes, and said sums so ascertained and charged shall be a lien upon the real estate so charged, with said assessment, collectible and enforceable as other liens for taxes. Any person feeling himself aggrieved by the assessment made against him under this section may, within thirty days after such assessment has been made, apply to the hustings court of the city of Richmond to have said assessment corrected in the mode prescribed by law for the correction of other erroneous assessment of taxes. The city attorney, under the direction of the committee on streets shall prescribe the forms of petitions to be presented under this section, and no petition shall be considered by the council unless the same substantially conforms to such form. (Code 1899.)

8. Nothing in the foregoing section shall be construed to alter, amend or repeal the ordinances now in force, so far as they concern the assessment, collection, or commutation of taxes due the city, or to become due the city, for work heretofore done by the city, in opening, grading, or otherwise improving streets or alleys of the city, or in the construction of public sewers or culverts; but the ordinances in force on that subject at the time of the approval of this amended chapter shall continue in force as to such assessments, taxes, or dues made thereunder, and all of the duties of the special assessment clerk and other officers, as prescribed by such ordinances heretofore in force, shall continue to be discharged and performed in reference to all such assessments, taxes, or dues heretofore made. (Code 1899.)

9. Doors to a cellar shall not extend on a sidewalk more than five feet; and whenever a cellar door is made or repaired (whether the cellar be

old or new), the construction thereof shall be such that the door or doors when closed shall be level with the sidewalk. All hinges, bolts and locks to be on the underside, and in all such cases the door shall be of iron and the cappings, or caps, of granite. No balcony or bay window projecting over a street or alley shall be constructed, nor shall there be used any part of the sidewalk as an entrance to a cellar or basement, or as a coal vault, or area, unless by resolution of the city council or the committee on streets, who are hereby expressly authorized, in their discretion, to grant such permission, and then the doors to said cellar or vault shall be so made and kept in such manner as the resolution may prescribe. And in all cases in which any person shall desire to occupy any portion of a street or public alley for the purpose of getting into a cellar or basement, or into a house, or shall desire to construct a coal vault under a sidewalk or alley, or an area on a street or alley, or a balcony or bay window projecting over a street or alley, he shall apply to the committee on streets by petition in writing, and file therewith a plan showing accurately how much of the walkway he proposes to occupy; and the petition and plan shall be referred to the city engineer, who shall examine the premises and report fully to the committee on streets everything which, in his opinion, should influence the judgment of the committee in their action upon the application. (August 18, 1906.)

10. Any person owning a house, in the use of which any part of a street or public alley is occupied, by permission of the city council or the committee on streets, for an area, vault, entrance to a basement, cellar, balcony or bay window, or to a house, or for any other permanent purpose, shall pay annually therefor, to the city a rent of six cents for each square foot. All new work shall be measured by the assessment clerk, who shall report the name of the property owner liable and the amount of the tax to the commissioner of the revenue, who shall charge the same upon the land books, to be collected and accounted for in the manner prescribed for the collection of city taxes. Vaults under sidewalks shall be made with a substantial brick or stone arch, which shall extend from the front wall of the house before which the vault is, no nearer than two feet, six inches, to where the inner edge of the curb-stone is, or will be, when laid down. The openings to the vault shall not be more than eighteen inches in diameter, and shall be level with the sidewalk, as it then is, but may afterwards be removed, if necessary, when the grade of the street is established or changed. It shall be secured with a cast-iron covering, fixed in a solid frame of stone or iron, which shall rest against the inner side of the curb and be so laid that the upper part of the frame shall be as nearly level with the pavement as it can be, consistently with the turning of the water from the opening; and it shall be secured with such bolt

or weight as the engineer of the city may direct; and the person obtaining permission to make a vault shall have the same completed under the direction of the engineer of the city, within thirty days, unless further time is allowed by the committee on streets. (August 18, 1906.)

11. If any cellar, area, or vault constructed, or that may hereafter be constructed, under permission from the council or the committee on streets, shall not conform to the requirements of such permissions, the owner of the house to which the cellar, area, or vault, is attached shall pay a fine of not less than ten nor more than twenty dollars; and each day that the cellar, area, or vault shall not be as hereby required shall be a distinct offense. And if the occupier of a house to which an opening to a cellar, area or vault is attached suffer the same to be open or unfastened at any time other than when it is opened for putting something therein, or shall then suffer it to be open or unfastened longer than is absolutely necessary for that purpose, or if the owner or occupier of a house to which a vault or cellar is attached shall fail, in any respect, to keep in safe and proper order the opening to such area, vault or the doors to such cellar (whether made heretofore or hereafter) he shall pay a like fine. The suffering a vault to be opened or unfastened as aforesaid, or the failure to keep in safe and proper order such opening or doors, shall be deemed a distinct offense for each day or night thereof. (August 18, 1906.)

12. Hereafter, in every case in which assessment has been heretofore made to pay for the construction of a sewer, under the ordinances in force in regard to such assessment, the owners of lots which, according to the plan of the city, adjoin by the front, rear or side, a street or alley in which there is a sewer owned by the city, or a sewer hereafter constructed or acquired by the city of Richmond under any ordinance or resolution of the council, into which it is practicable to enter, and where city water is available, shall annually pay to the city, as compensation for the privilege of using such sewer, a sum equal to ten cents per front foot, respectively, of such lot, whether such sewer be actually used or not; which annual payment may be commuted at any time by the payment to the treasurer of a sum equal to one dollar and fifty cents for each front foot, respectively, of such lot, or of any sub-division thereof, as to which such commutation is paid, shall thereafter have perpetual right of drainage into a city sewer without further payment therefor. (February 12, 1909.)

a. The owner of lots, wherever situated, connected with a city sewer, either directly or indirectly, through any private or other sewer or culvert, shall be assessed annually ten cents per front foot of such lots, respectively. (Code 1899.)

b. When any lot assessed under this ordinance is subsequently subdivided into separate lots, with new and additional fronts, such new fronts shall be subject to annual assessment at ten cents per front foot in like manner, and as though they had been fronts originally; provided, that such lots as have secured exemption by commutation, or any contract or agreement equivalent to commutation, under any former ordinance, and which satisfied every demand of the law in force at the time such exemption was obtained shall be exempt under this ordinance. (Code 1899.)

c. There shall be a clerk of special assessments for public improvements, who shall be appointed by the committee on finance. The term of the said clerk shall be two years, unless sooner removed by said committee, and he shall receive in compensation for his services a salary of thirteen hundred and fifty dollars (\$1,350) per annum, payable monthly, and shall give bond in a penalty of \$5,000 for the faithful performance of his duties; provided, that the first term of the said clerk appointed under this ordinance shall extend only to July 1, 1908, or until his successor be appointed. The clerk of special assessments shall be the clerk of the committee on local assessments, and shall perform such other duties as may be prescribed by the committee on finance. April 10, 1910.)

d. The special assessment clerk shall annually assess the said owners of lots liable to tax under this chapter with the amounts with which they are chargeable, entering the same upon the ledger of his office, and reporting the same to the commissioner of the revenue, who shall charge the owners, respectively, upon the land-books of the city, in the column provided therefor, to be collected in the manner prescribed for the collection of city taxes. (Code 1899.)

e. Any person, the owner of a lot, desiring to connect the same directly with a city sewer, or indirectly through any private or other sewer or culvert, located in a street or alley shall first obtain the permit of the city engineer, endorsed by the special assessment clerk; and any owner of a lot who makes, or causes to be made, any such connection without the permit hereinbefore mentioned, or any agent who makes, or causes the same to be made, without the aforesaid permit, or any plumbër, bricklayer, or other person, who makes the said connection without the permit as aforesaid, shall be fined not less than twenty-five dollars (\$25), nor more than one hundred dollars (\$100). (Code 1899.)

f. The special assessment clerk shall ascertain from time to time, but at least annually, what changes have been made by the subdivision of lots, or, and by change of fronts, and shall assess the increase of front or reduce the tax of diminished fronts, as it may appear in each case, and shall charge or credit the same upon the journal and ledger of his office,

and also report the same to the commissioner of the revenue, to be entered upon the land-books. And the commissioner shall enter the extra charges and make the credits so reported upon his books in the column provided therefor. (Code 1899.)

13. That hereafter the city engineer shall report to the clerk of special assessments the measurements and costs of all ditches and of all materials used in making pipe connections with public sewers made by the city at the expense of the property owner, stating the length, width, depth and material for each connection; and that he shall likewise report the measurements and costs of all sidewalks and alleys paved and graded by the city, at the expense of the abutting property owners, giving in detail the measurements and extra materials used for each lot separately; and the clerk of special assessments shall make out itemized bills for same, giving detailed information and measurements as set forth in the report of the city engineer, and shall notify the owner of each lot against whom an assessment for public improvements has been made of such bill having been made against his property, said notice to give all the information mentioned on said itemized bill. (February 14, 1908.)

14. Upon the ledger required to be kept by the clerk of special assessments shall be entered in alphabetical order under the name of owner or owners a description of the property assessed, the amount of the annual tax for either or both sewers or areas and vaults, and all payments for commutation of sewer assessments, made in accordance with the city ordinances. Upon said ledger he shall enter at least annually all transfers of real estate recorded in the courts of the city where any assessment for sewers or areas and vaults are involved, so as to transfer all assessments charged from the name of the former owner to the name of the new owner, including such lots as have commuted any of said assessments showing opposite the latter the word "commuted" and year in which payment was made for such commutation. The said record he shall annually compare with the real estate assessment books furnished by the commissioner of the revenue in order to verify the correctness of each annual assessment for sewers and vaults and areas. (February 14, 1908.)

15. Whenever the board of health shall deem it important to the health of any neighborhood or to the cleanliness of any lot, that the said lot should be connected with a public sewer, the president of the board shall notify the owner of the lot, in writing, to make such connection, and shall give such information as will enable the owner to make the connection in the most economical manner consistent with the requirements of the ordinances of the city, and within thirty days after the receipt of this written notice the owner shall make such connections and such arrangements and details of construction within the premises as may be prescribed by

the board of health. Whenever any lot shall have been connected with a sewer, and shall be sub-divided, each sub-division shall be separately connected with a sewer as soon as such sub-division shall be built upon; any person failing to connect his lot with a public sewer in the manner that may be prescribed by the ordinances of the city within thirty days after said notice to do so from the board of health, or shall fail to connect with a public sewer any sub-division of a lot by means of a sewer connection as soon as such sub-division is built upon, or shall otherwise fail to comply with the provisions of this section, shall be liable to a fine of not less than five, nor more than one hundred dollars, each day of continuance of either of such failures to constitute a separate offense. (January 15, 1910.)

15 a. Branch pipes for connections with the public sewer shall be made by the city at the expense of the abutting property owners. Such branch pipes shall extend from the sewer to the property line, whenever the property is already built upon; and when the property or lot is vacant or not built upon, the branch pipe connection shall be laid in the same manner, but in such case no bill shall be rendered for said connection until the property or lot is built upon, and application has been made for a sewer connection, when the same shall be charged and rendered as prescribed by ordinance. The cost of making said connections shall be ascertained and certified by the city engineer to the clerk of special assessments, and he shall make proper entry thereof on his books and place them in the hands of the city collector, to be collected and accounted for in the manner for the collection of city taxes. But it shall be the duty of the clerk of special assessments, as soon as the bills are made out, and before they are delivered to the auditor, to notify the owner of each lot liable for one of the bills, or his or her agent, by mail, that the bill is in the hands of the collector of taxes for collection, and the notice shall state the location of the lot, the kind of work done, the amount of the bill and that the bill will be delinquent and subject to penalty on and after the first day of February next ensuing. And whenever a new sewer is to be laid it shall be placed in the centre of the street or alley; unless to do so will interfere with some authorized construction in the centre of the street or alley, in which case it may be placed on either side at the option of the city engineer; but in no case shall a property owner be charged a greater sum for such connection than he would otherwise have to pay by reason of the fact that the sewer is not placed in the centre of a street or alley. It is further provided, that in cases of indigent persons, or from other circumstances satisfactory to the committee on streets, said committee may cause said connections to be made and charge the same against the property, to be charged by the engineer as hereinbefore provided; and the

engineer shall certify the same to the assessment clerk, who shall make out and deliver bills for the same in four annual payments, with interest at six per centum per annum, to the auditor, who shall make proper entry thereof on his books and place the bills in the hands of the city collector to be collected and accounted for in the manner prescribed for the collection of city taxes. (January 15, 1910.)

16. It shall be the duty of the special assessment clerk, before endorsing any permit for sewer connection granted by the engineer, to ascertain the ownership and the frontage of the lot from which connection is to be made, and forthwith charge the owner with the assessment of ten cents per front foot of the lot for the year next ensuing and annually until the tax is commuted, or he is otherwise directed by law. It shall be the duty of the city engineer to keep a list of all the permits for sewer connections granted by him, and to report the same annually on the first day of January of each year to the special assessment clerk, who shall compare the said list with his books and see that all the parties named in the list have been duly charged. Any person desiring to commute the tax of ten cents per front foot per annum assessed under this ordinance, may do so at any time by applying to the special assessment clerk, who will, upon such application, request the treasurer to receive the necessary sum, and upon view of the treasurer's receipt therefor credit the person, the owner of the property commuted, and report the name of the owner, the location of the lot, and its frontage to the commissioner as "commuted"; and the commissioner shall thereupon enter upon the land-book of that year, opposite the description of the lot commuted, the words "sewer tax commuted," followed by the date of the entry, and thereafter omit the sewer tax against that property; but the record, "sewer tax commuted," with the date, must follow the description of the property from year to year continuously, whether the property stands as a whole or is subdivided, and until some further sewer tax is charged against the lot. It shall be the duty of the city engineer, when requested so to do by the special assessment clerk, to determine any question which may arise under this ordinance as to the practicability of a connection with or the entrance into any sewer by any party required by this ordinance to connect with any sewer. It shall be the duty of the superintendent of the water-works to determine any question arising under this ordinance as to the accessibility of water, and to report the same, when requested, to the special assessment clerk. (Code 1899.)

CHAPTER 18.

CONCERNING THE SALE OF LAND FOR TAXES.

1. The year for which taxes on real estate are assessed shall be deemed to commence on the first day of January, and there shall from that day be a lien on all the real estate for the taxes and assessments assessed thereon within the year so commenced, and for interest on said taxes and assessments at the rate of six per centum per annum for the first day of February in the following year, in which the same may have been assessed, and for the penalty of five per centum charged thereon. (Code 1899.)

2. There shall be elected by the city council a collector of delinquent taxes, who shall hold his office for two years, unless sooner removed, and until his successor is elected and qualified. He shall give bond with sureties, in the penalty of five thousand dollars for the faithful performance of the duties of his office, and shall receive for his compensation five per centum on the amount of the bills collected by him, to be paid him on the warrant of the auditor, as he shall deposit with the treasurer the money by him collected. And he shall, on Monday of each week, pay into the city treasury all money by him so collected. (January 15, 1904.)

3. It shall be the duty of the collector of delinquent taxes annually, in the month of February, to receive from the auditor all tax bills, assessments and accounts for the preceding year, which may have been turned over to the auditor by the collector as delinquent. And said collector of delinquent taxes shall promptly proceed to collect the same, including said interest and penalty, in the manner provided by the charter of the city of Richmond and the ordinances passed pursuant thereto. (Code 1899.)

4. The collector of delinquent taxes shall, annually, on or before the second Monday in April of each year, prepare a list of the real estate in this city on which taxes and assessments remain unpaid for the last or preceding year, stating the amount due for taxes and assessments on each lot, or part of a lot, and the name of the party assessed therewith, and describing such lot or part of a lot as it is entered on the commissioner's books. He shall also, under the direction of the city council, cause to be published in all the daily newspapers of the city, at least ten days previous to the day of sale a notice of the time and place of sale of the real estate listed as aforesaid; and on some day, not more than twenty nor

less than ten days previous to such sale, he shall cause to be published in one or more of said daily papers, to be designated by the committee on finance, the list prepared as above stated of the several parcels of real estate so to be sold. (Code 1899.)

5. To the list and copy so published, he shall subjoin a notice that each lot or part of a lot therein mentioned, or so much thereof as shall be sufficient to satisfy the taxes, assessments, interest, costs and charges due thereon, will be sold at public auction, between the hours of ten in the morning and four in the afternoon at the Broad street front of the city hall, on the first day of the May term of the court of hustings, unless there be previously paid the taxes and assessments on same, with interest as aforesaid and with the penalty thereon. (Code 1899.)

6. If such tax or assessment and the percentage, interest, and expenses aforesaid be not paid previous to the day for which said sale was advertised, or on some day immediately thereafter, to which said sale may be adjourned, the collector of delinquent taxes shall proceed to make sale accordingly of the said several parcels of real estate, or so much thereof as may be necessary, to the highest bidder; and the sale may be adjourned from day to day until it shall be completed. On such sale the collector of delinquent taxes shall execute to the purchaser a certificate of sale, in which the property purchased shall be described and the aggregate amount of the tax or assessment, with charges and expenses, specified. (Code 1899.)

7. The collector of delinquent taxes shall not, directly or indirectly, purchase any real estate sold, except for the city, as required by the seventeenth section. If he does, he shall forfeit to the city twenty dollars for every such purchase, and the same shall moreover be void. (Code 1899.)

8. The collector of delinquent taxes shall make out for each purchaser a receipt to the following effect:

“Memorandum of Real Estate within the city of Richmond sold this _____ day of _____, 19____, for the non-payment of taxes thereon for the year _____:

Name of party charged with the taxes.	Description of land charged.	Amount of taxes due.	Quantity of land sold.	Name of Purchaser.	Amount of purchase money.

Received of ——— ———, ——— dollars and ——— cents, the amount of purchase money for the land mentioned in the above memorandum.”

Which receipt shall be delivered by the collector of delinquent taxes to the purchaser, on the purchasers' paying him the said purchase money. (Code 1899.)

9. The collector of delinquent taxes shall make out a list of the sales, with the following caption thereto: List of real estate within the city of Richmond sold in the month (or months) of ———, 19——, for the non-payment of taxes thereon for the year (or years, if more than one year,) 19——. Underneath shall be the several columns mentioned in the eighth section, with a like caption to each column. And there shall be an additional column, showing the date of each sale, unless the sales were all on one day, in which case the day may be mentioned in the caption. (Code 1899.)

10. The collector of delinquent taxes shall take and subscribe the following oath: “I, A. B., collector of delinquent taxes of the city of Richmond, do swear that I used due diligence to find property within this city liable to distress for the taxes mentioned in the foregoing list, but could find none; that I have received no part of the said taxes in any other way than by means of the sales mentioned in the said list; that the said list is, I verily believe, correct and just; and that I am not directly or indirectly interested in the purchase of any of the real estate therein mentioned.” (Code 1899.)

11. The said list, with a certificate of the said oath subjoined or attached thereto, shall be returned to the auditor on or before the last day of May. (Code 1899.)

12. The owner of any real estate so sold, his heirs or assigns, or any person having a right to charge such real estate for a debt, may redeem

the same by paying to the purchaser, his heirs or assigns, within two years from the sale thereof, the amount for which the same was so sold, and such additional taxes thereon as may have been paid by the purchaser, his heirs or assigns, with interest on the said purchase money and taxes, at the rate of six per centum per annum from the times that the same may have been so paid; or the same may be paid within the said two years to the treasurer of the city, in any case in which the purchaser, his heirs or assigns, may refuse to receive the same, or he or they shall not reside, or cannot be found, in the city of Richmond. (Code 1899.)

13. The purchaser of any real estate sold for taxes and not redeemed shall, after the expiration of two years from the sale, obtain from the city auditor a deed conveying the same, wherein shall be set forth what appears in his office in relation to the sale; but in no case shall a deed be made to any such purchaser of any such real estate, until after such purchaser has given to the person in whose name the real estate so sold stood at the time of sale and to the person or persons to whom said real estate so sold has been conveyed of record subsequently to the time of said sale, or if any of said persons be dead then to his or their personal representatives, heirs and devisees, and also to the trustees, mortgagees and beneficiaries, as shown by the records, in any deed of trust or mortgage on the said real estate, or to their personal representatives, four months written notice of such purchase: provided, that no notice need be given to any trustee, mortgagee, beneficiary in any deed of trust or mortgage which has been recorded, or the lien thereon renewed, more than twenty years prior to the date of such sale, and the person entitled to redeem such real estate shall have the right to redeem the same at any time before the expiration of said four months, although the said time extend beyond the two years first mentioned herein, and in such deed it shall be recited that the said notice has been given in accordance with the provisions of this section, and the evidence showing that fact has been filed with the said auditor. When the purchaser has assigned the benefit of his purchase the deed may, with his assent, evidenced by his joining therein or by a writing annexed thereto, be executed to his assignee. If the purchaser shall have died his heirs or assigns may move the hustings court of the city of Richmond to order the auditor to execute a deed to such heirs or assigns. (July 17, 1908.)

14. If no such deed or order of court be made under this chapter within one year after the expiration of the said two years, the former owner, his heirs or assigns, may, after such year, and before such deed or order is made, redeem the land by paying such amount, with such additional taxes and such interest as is mentioned in the twelfth section. The payment under this section may be to the treasurer. (Code 1899.)

15. When the purchaser of any real estate sold for taxes, his heirs or assigns, shall have obtained a deed therefor under this ordinance, and within sixty days from the date of such deed he shall have caused the same to be recorded in the clerk's office of the chancery court of this city, such estate shall stand vested in the grantee in such deed as was vested in the party assessed with the taxes (on account whereof the sale was made) at the commencement of the year for which the said taxes were assessed, notwithstanding any irregularity in the proceedings under which the said grantee claims title, unless such irregularity appear on the face of the proceedings. And if it be alleged that the taxes for the non-payment of which the sale was made were not in arrear, the party making such allegation must establish the truth thereof by proving that the taxes were paid. (Code 1899.)

16. Any infant, married woman, insane person, or person imprisoned, whose real estate may have been so sold, or his heirs, may redeem the same by paying to the purchaser, his heirs or assigns, within two years after the removal of the disability, the amount for which the same was so sold, with the necessary charges incurred by the purchaser, his heirs or assigns, in obtaining the title under the sale, and such additional taxes on the estate as may have been paid by the purchaser, his heirs or assigns, and the appraised value of any improvements that may have been made thereon, with interest on the said items except on value of any improvements at the rate of six per centum per annum from the time the same may have been paid. Upon such payment within two years after the removal of such disability the purchaser, his heirs or assigns, shall, at the cost of the original owner, his heirs or assigns, convey to him or them by deed with special warranty the real estate so sold. (Code 1899.)

17. If at any such sale no bid shall be made for any such parcel of land, or such bid shall not be equal to the tax or assessment, with interest and charges, then the same shall be struck off to the city. On such sale the collector of delinquent taxes shall execute to the city a certificate of sale, in which the property purchased shall be described and the aggregate amount of tax or assessment, with charges and expenses, specified; and shall deposit such certificate with the auditor within thirty days from the date of such sale. When such certificate is delivered to the auditor, he shall credit the collector of delinquent taxes with the amount for which said real estate may have been purchased, but not with any commission thereon. There shall be no right to such credit unless the said certificate is delivered to the auditor within the thirty days as aforesaid. (Code 1899.)

18. In case that any real estate, struck off to the city as hereinbefore provided, shall not be redeemed within the time specified, the city auditor

shall, within sixty days after the expiration of two years from the sale, cause to be recorded such certificate of sale, with his oath, that the same has not been redeemed; and thereupon the said corporation, or their assignees, shall acquire an absolute title to the same in fee. The said certificate may be acknowledged, proved, and recorded in the same manner that the deeds are recorded, and the said certificate, or the record thereof, or a copy of said record, duly authenticated, shall in all courts and places be presumptive evidence of the facts therein stated, and of the regularity and correctness of such sale, and of all proceedings prior thereto. (Code 1899.)

19. The owner of any real estate so purchased for the city, his heirs or assigns, or any person having right to charge such real estate for a debt, may redeem the same by paying upon the auditor's certificate to the collector of delinquent taxes, within two years from the sale thereof, the amount for which the same was so sold, with such additional sums as would have accrued for the taxes thereon if the same had not been purchased by the city, with interest on the said purchase money at the rate of six per centum from the time the same may have been so sold, and with interest at the rate of six per centum per annum on said accrued taxes from the first day of February of the year following that in which they would have accrued if the said purchase had not been made by the city. (Code 1899.)

20. After the lapse of the time mentioned in the preceding section, the former owner shall not have any right to have said property redeemed. But if he shall afterwards apply for such redemption, the collector of delinquent taxes may, upon the written consent of the mayor, the city auditor and the city attorney, or any two of them, receive such sums as are required to be paid by the preceding section, and give him a receipt for said money. Upon the presentation to him of such receipt, and of a proper deed of reconveyance of said property from the city to said owner, the mayor shall sign the name of the city thereto and have the seal of the city attached, and deliver said deed to said owner or his agent. (Code 1899.)

21. If the said collector shall receive any money for taxes or assessments, giving a receipt therefor, for any land or parcel of land, and afterwards sell the same at any sale for taxes or assessments for the tax or assessment which has been so paid and receipted for by himself or his deputy, he and his sureties shall be liable to the holder of the certificate given to the purchaser at the sale for double the amount on the face of the certificate, to be demanded within three years from the date of sale, and recovered in any court having jurisdiction of the amount; and the

city shall in no case be liable to the holder of such certificate. (Code 1899.)

22. All real estate heretofore struck off to the city at sales thereof for delinquent taxes, shall only be redeemed by payment to the collector of delinquent taxes, upon the auditor's certificate, of the amount due thereon at the time of each sale, with interest on said amount at six per centum per annum from the first day of February, 1897. All real estate sold to the city prior to the first day of July, 1896, upon which the taxes and charges due shall not be paid on or before the first day of February, 1897, shall be redeemed only as provided in section nineteen of this chapter except that interest shall only be charged from February 1, 1897, on land redeemed under said section. (Code 1899.)

23. It shall be the duty of the collector of delinquent taxes, to deliver to the auditor, who shall deliver to the city attorney a list of all unpaid delinquent tax bills assessed upon real estate held by life tenants, which list shall show the name of the party assessed with the tax, the location of the real estate on which the same is assessed, the amount of the tax assessed and the interest and charges thereon; and it shall also be the duty of the collector of delinquent taxes, on the first day of July, 1901, and on the first day of July of each year thereafter, to deliver to the city attorney a list of all unpaid delinquent taxes which have been in his hands for collection for the period prescribed by law, assessed against life-tenants, which list shall show the name of the party assessed, with the tax, the location of the real estate on which the same is assessed, the amount of the tax assessed, and the interest and charges thereon. Upon the receipt of such lists by the city attorney, he is hereby authorized and directed to institute all appropriate legal proceedings to enforce the lien of the city for such delinquent taxes and the collection of the same. (July 26, 1901.)

24. That it shall be the duty of the collector of delinquent taxes, to deliver to the auditor the list of all unpaid delinquent tax bills in his hands for collection assessed upon real estate which has been sold by the treasurer of the city of Richmond and bought in the name of the auditor of public accounts of Virginia for unpaid State taxes, and subsequently sold by the Commonwealth under section 666 of the Code of Virginia and the acts amendatory thereof, which list shall show the name of the party assessed with such delinquent city taxes, the location of the real estate on which the same is assessed, the amount of the taxes assessed, and the interest and charges thereon and the name of the party to whom such property has been so sold by the Commonwealth, which list the auditor shall forthwith certify and deliver to the city attorney; and annually thereafter, on the first day of July of each year, the said collector shall deliver to the city attorney a similar list of all such unpaid delinquent taxes where a

sale has been made, as aforesaid, which have been in his hands for collection for the period prescribed by law.

Upon the receipt of such lists by the city attorney, he is hereby authorized and directed to institute a suit in equity to enforce the lien of the city for the taxes mentioned in such list, or take other appropriate legal proceedings to compel the payment of such delinquent taxes. (May 17, 1902.)

25. That, whenever it shall be certified by any chancery court that, in a proceeding in such court for the purpose of subjecting real estate to the payment of debts, the said real estate did not sell for enough to pay off the lien for taxes and assessments returned delinquent against it, and that the whole of the proceeds of the sale of such real estate, after the payment of the costs of the proceedings in court, have been applied to the payment of the taxes and assessments thereon, in pursuance of an act of the general assembly approved February 15, 1900 (acts 1899-1900, p. 397), and such certificate shall be filed with the auditor of the city of Richmond, it shall be the duty of the said auditor to mark the lien of the city of Richmond for said taxes satisfied, as to the real estate so sold, on the delinquent tax book on file in his office. October 15, 1900.)

CHAPTER 19.

CONCERNING THE DEBT OF THE CITY.

1. In order to preserve in the office of the treasurer a duplicate record of the accounts of the debt of the city, and the transaction of all business connected therewith, it is hereby provided that the existing certificates of debts and bonds of the city, registered in the office of the auditor, and amounting, on the first day of July, 1871, to the sum of two millions eight hundred and eighty-four thousand six hundred and seventy-eight dollars and five cents, and all certificates or bonds hereafter issued, be registered also in the office of the treasurer; and the semi-annual interest accruing thereon, shall be paid by the treasurer, on the warrant of the auditor, until the said certificates or bonds shall be redeemed. (Code 1899.)

2. The certificate of debt or bonds now registered in the auditor's office, shall continue registered therein, and all certificates or bonds hereafter issued under the authority of the city council, shall be registered in the same office, as well as in that of the treasurer. In the books containing such registry in both offices, reference shall be made to the special act of the city council authorizing their issue. (Code 1899.)

3. Every such certificate or bond shall be signed by the treasurer, and be under the seal of the city, and countersigned by the auditor. (Code 1899.)

4. All bonds payable to bearer shall be signed and countersigned as herein provided for the issue of certificates of debt, and coupons of interest transferable by delivery shall be attached to said bonds, signed by the treasurer; and the said bonds and coupons attached thereto shall be payable upon the warrants of the auditor at the office of the treasurer. (Code 1899.)

5. All certificates or bonds hereafter issued for the permanent debt of the city, shall only be in sums of one hundred dollars, or some multiple thereof. (Code 1899.)

6. Certificates of debt may, at the option of the holder, be exchanged for coupon bonds of the denomination of one thousand dollars, bearing like interest, and maturing at same date as certificates surrendered, and coupon bonds may be exchanged for registered certificates, bearing like

interest and of like maturity. Registered bonds surrendered for conversion into coupon bonds shall be cancelled and coupon bonds in lieu thereof of like date, amount and rate of interest issued in their stead. When convertible coupon bonds are presented to the auditor for conversion into registered bonds, and the bonds so presented are arranged conveniently for the purpose (and contain the necessary form for conversion into registered bonds), the auditor shall, in the presence of the city treasurer and the mayor of the city, remove the coupons unpaid, attached to the bonds, and by fire destroy them. He shall then complete and sign the conversion certificate attached to the bond and shall immediately make the necessary entries on the bond register and ledger of his office to show the conversion of the coupon bond into a registered bond, and shall then deliver the bond so converted to the person entitled, by the records of his office, to receive the same. The treasurer of the city shall also make, on the books of his office, sufficient and explicit entries to show the conversion of the coupon bond into a registered bond, and shall fill out the blank printed on the bond with the date of the registration and the name of the registered owner, followed by his own signature as indicated by the printed form on the bond. The requirements above set out shall be understood to refer and extend to the form of bond used in the issue authorized by the ordinance, approved May 12, 1904, providing for the issuance of registered or coupon convertible bonds of the city of Richmond. (August 16, 1904.)

7. The person appearing on the books of the office in which any certificate is registered as the owner thereof, shall be deemed the owner as it regards the city, so as to make valid all payments by the city of Richmond on account thereof, to such person, or his personal representative, made before a transfer of the certificate on the books of the said office. (Code 1899.)

8. But if the person so appearing on the books as owner shall, bona fide, and for valuable consideration, sell, pledge, or otherwise dispose of such certificate to another, and deliver to him the certificate, with the power of attorney, authorizing the transfer thereof to him on the books of the proper office, the title of the former in the said certificate (both at law and equity) shall vest in the latter for the whole amount of the certificate, or so much thereof as may be necessary to effect the purpose of the sale, pledge, or other disposition, and it shall so vest not only as between the parties themselves, but also as against the creditors of, and subsequent purchasers from the former, subject to the preceding section. (Code 1899.)

9. Upon the delivery of the said certificate a transfer may be made on the books of the city, either of the whole amount or any part thereof, by

the person appearing on the said books as the owner, or by another having a power of attorney from him, duly authenticated, authorizing such transfer. Upon a transfer the former certificate shall be cancelled, and one or more new certificates shall be issued (according to the provisions of this chapter), not exceeding together the amount of that cancelled. But no transfer shall be made on the said books within ten days next preceding the first day of January and the first day of July. (Code 1899.)

10. Every cancelled certificate shall remain filed in the treasurer's office. (Code 1899.)

11. When any certificate shall be lost by the holder thereof, he may produce to the auditor proof of his having advertised the same once a week for three months in a newspaper published in the city of Richmond, file in the office of the auditor an affidavit setting forth the time, place, and circumstances of the loss, and execute a bond to the city, with one or more sureties, approved by the committee on finance, conditioned to indemnify all persons against any loss in consequence of issuing any new certificate in place of the one so lost, and thereupon a new certificate may be issued and registered. (Code 1899.)

12. Notes for a temporary debt of the city shall be signed by the auditor and the treasurer, and recorded in both offices. (Code 1899.)

13. All bonds of the city of Richmond hereafter issued, including all bonds heretofore ordered by the council but not yet issued, may bear such rate of interest as shall be prescribed in the ordinance authorizing such issue.

(a) The registered bonds of the city of Richmond shall be in form, as follows:

Know all men by these presents: That the city of Richmond, in the State of Virginia, promise to pay or order
 dollars on the first day of one thousand
 nine hundred and bearing interest at the rate of
 per cent. per annum from the first day of one
 thousand nine hundred and payable semi-annually on the
 first of January and first of July in each and every year until the maturity
 of the principal sum, at the office of the treasurer of the city.

This bond is given in pursuance of an ordinance of the council passed

 Transferable only at the auditor's office.

In witness whereof the seal of the said city is hereunto affixed and the auditor and treasurer of the city have subscribed their names this

..... day of A. D., one thousand nine hundred and

..... Auditor.

..... Treasurer.

(March 21, 1905.)

(b) That the coupon bonds of the city of Richmond shall be in form as follows:

Know all men by these presents: That the city of Richmond, in the county of Henrico and State of Virginia, a municipal corporation chartered under the laws of Virginia, for value received, hereby acknowledges itself indebted and promises to pay to bearer the sum of..... (\$.....) on the first day of 19....., with interest thereon at the rate of four per centum per annum, payable semi-annually on the first days of January and July, both principal and interest being payable in lawful money of the United States of America, at the office of the auditor of the city of Richmond, State of Virginia, or (at the option of the coupon-holder) the interest shall be payable at the office of the fiscal agent of the city of Richmond in the city of New York, State of New York, upon the presentation and surrender of the coupons hereto attached as they severally become due, unless this bond shall be registered, in which event all unmatured coupons on this bond shall be cut off and cancelled by the officer who issued the same and the name of the registered owner of this bond be placed in the conversion clause on the back of this bond, together with the signature of the auditor of said city, and thereafter both principal and interest of this bond shall be payable to such registered owner or to his legal representatives or assigns, and this bond shall thereafter be transferable from time to time only by the registered owner in person, or by an attorney, upon the books of the auditor of the said city.

This bond is issued pursuant to, and in strict conformity with, the provisions of the statutes of the State of Virginia, and by authority of an ordinance approved, 19.... A sinking fund has been created on the issuing of this bond, for its redemption, by raising annually a sum which will provide an amount equal to its principal and interest at maturity.

It is hereby certified, recited and declared that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of this bond have existed, happened and been performed in full and strict compliance with the constitution and laws of the State of Virginia, and that the amount of this bond together with all other indebtedness of said city does not exceed any limit prescribed by the constitution and laws of said State. For the punctual payment of the principal

and interest of this bond the full faith and credit of the city of Richmond are hereby solemnly and irrevocably pledged.

In witness whereof, the said city of Richmond has caused this bond to be executed by its auditor and treasurer and its corporate seal to be hereunto affixed, and the coupons hereto attached to bear the fac simile signature of its treasurer and this bond to be dated 19.....

.....Treasurer.
.....Auditor.

To which bond there shall be attached, in proper form, a coupon providing for the payment of each installment of the semi-annual interest on said bond from the date of issue to the date of maturity, and there shall be printed upon the back of the said bond, another form of certificate providing for the conversion of said bond into a registered bond, which last-named form shall be as follows:

STATE OF VIRGINIA, {
CITY OF RICHMOND: } ss.

It is hereby certified that the holder of the within bond having, pursuant to the ordinance of the city of Richmond in such case made and provided, presented to the undersigned a written request for its conversion into a registered bond, I have this day cut off and destroyed the coupons attached thereto, said coupons being in number and of the value of dollars (\$.....) each, and that the interest at the rate and on the date, as was provided by said coupons, as well as the principal, is to be paid to such owner, his legal representatives, successors, or assigns, at the office of the auditor of the city of Richmond, Virginia.

.....,
Auditor.

Dated.....

(August 21, 1909.)

That the form of bond prescribed by this section shall be used in the issue of bonds not actually issued, but heretofore ordered to be issued and actually sold by virtue of any ordinance now in force. (August 21, 1909.)

(c) And there shall be also printed on the back of each bond a tabulated form, to contain the date of the resignation of the bond, the number of the bond, and the name of the registered owner of the bond, which shall be filled up by the auditor and shall be signed by the treasurer. (March 21, 1905.)

14. On or before the fifteenth day of January and July in each and every year, the auditor of the city shall be and hereby is required to cancel and destroy by fire, in the presence of the chairman of the finance committee, all matured coupons on city coupon bonds unissued and in the custody of the auditor; the said cancellation and destruction to be reported in detail to the finance committee by the auditor, in writing, at the meeting of said committee next succeeding the above-named dates. (Code 1899.)

CHAPTER 20.

CONCERNING THE SINKING FUND COMMISSIONERS AND THEIR DUTIES.

1. For the purpose of managing, preserving and applying the sinking fund required by the charter of the city to be created, the mayor, the treasurer, the chairman of the committee on finance, for the time being, and one member of each branch of the city council, shall constitute a board to be called "The Commissioners of the Sinking Fund." Each branch of the city council, at its first meeting after the approval of this ordinance by the mayor, shall elect one of its members to serve on said board until June 30, 1898, and in the event of the death or the removal or resignation from the council or the board of any member so elected, a successor shall be in like manner elected, but for the unexpired term only.

During the month of September, 1904, and every two years thereafter, each branch of the city council shall elect one of its members to serve two years, or during his term in the council, on the board of sinking fund commissioners, and in the event of the death or the resignation or removal from the council or the board of any member so elected a successor shall in like manner be elected, but for the unexpired term only. (September 17, 1904.)

2. Any three of the commissioners may form a board for the transaction of business; provided, that one of the three shall be a commissioner elected from one of the branches of the council under this ordinance, and the mayor, or, in his absence, the chairman of the committee on finance, shall be president of the board. (Code 1899.)

3. The auditor shall be the secretary of the board, and shall keep a full and correct journal of the proceedings of every meeting, to be signed by himself and the president, and shall preserve the books and papers and securities of the board in his office. The meetings of the board, unless otherwise ordered, shall be held in the auditor's office. (Code 1899.)

4. The board shall meet at least twice a year—as soon as practicable after the fifteenth day of June and December, and as much oftener as the public interest may require. At each semi-annual meeting, the auditor shall present a full statement, showing the amount of the outstanding public debt, and the interest already due or to become due thereon, within the ensuing half year; and the amount with which the board is chargeable on account of advancements previously made to satisfy any

portion of the interest then overdue and unpaid. The board, after examination of the said statement, shall direct the auditor to have deposited to their credit such sum, specifying the amount, as in addition to advancements already made, shall appear to be necessary to enable them to satisfy and pay off all claims for interest then due, or to become due within the ensuing half year, and in addition thereto, one-half of one per cent. of the principal of the outstanding debt of the city. The auditor shall forthwith issue his warrant to the treasurer, in accordance with such order, and the treasurer shall thereupon deposit such amount to the credit of the board out of any funds in the treasury, to the exclusion of any and all other claims upon the city. (Code 1899.)

5. When payments are to be made to the city of moneys arising from the proceeds of sales of real estate and from persons paying commutation of culvert taxes, the auditor shall by his warrant direct the treasurer to receive the same and deposit it to the credit of the commissioners of the sinking fund. (Code 1899.)

6. After providing for the payment of the interest, the board shall apply any residue of funds to their credit to the redemption of such part of the principal of the city debt as may be redeemable. If no part be redeemable, such residue shall be devoted to the purchase, at market value, of any outstanding certificates of debt or coupon bonds of the city. Any coupon bonds, or other evidences of city debt, purchased or redeemed, shall be immediately cancelled in the presence of the president of the board, and certificates of debt to the said board, corresponding in amount, rate of interest, and date of maturity, be issued in lieu of any such bonds purchased. If no bonds or certificates of debt of the city can be purchased, investments may be made in registered bonds of the State of Virginia, or of the United States, the accruing interest whereon shall, when due, be collected by the treasurer, on the order of the auditor, and deposited to the credit of the board. All such bonds or certificates, whether of the city, or State of Virginia or of the United States, shall be held by the board until some part of the city debt shall become due, when, so far as may become necessary, they shall be sold, and the proceeds applied to the redemption of the city debt. For the purposes contemplated by this section, the board may apply any funds to their credit; provided, that there be always retained a sum at least equal to ninety per centum of any interest upon the city debt due, or to become due, prior to their next semi-annual demand upon the city treasury. (Code 1899.)

7. Payment out of any funds to the credit of the board shall only be made upon checks signed by the city treasurer, upon the face of which shall be printed in conspicuous characters, the words: "Sinking Fund." Such checks shall only be issued by the treasurer, upon the back of war-

rants signed by the auditor, as auditor and as secretary of the board, and specifying upon their face that the same is payable on account of interest due, or principal of the city debt, or investment ordered by the board; and unless the warrant specify that the amount to be paid is due on account of interest, the same shall be also signed by the president of the board. (Code 1899.)

8. The auditor shall issue his warrant for interest on the city debt as it becomes due, and shall mail proper warrant to the individual address of every registered holder of city bonds, on June 30th and December 31st, of each year, or the interest may be paid upon application in person or by attorney of any party appearing upon his books to be the owner of any certificate of debt, or upon the presentation of any matured coupons, every such coupon to be cancelled in the presence of the party presenting it, before the delivery of the warrant, unless there be some reason to doubt the holder's title, in which event he may call a meeting of the board and require their instructions. (February 12, 1909.)

9. The auditor and treasurer shall each keep books specially labeled, and reserved for accounts of the board, in which they shall retain receipts for all warrants or checks issued upon account of the board. (Code 1899.)

10. As soon as practicable after the first day of January the treasurer shall render to the board a full account of the amount standing to their credit in the several depositories of the city, showing, in detail, the several items of credit during the previous year; and the auditor shall furnish a full statement of the outstanding city debt, setting out the amount of interest due and unpaid, or to become due during the ensuing year, and of the principal thereof maturing for payment during such year. (Code 1899.)

11. The auditor, with his January report, as required in the fourth section of this chapter, shall return a full statement of all disbursements ordered by him as secretary of the board, during the previous year, distributing the same between the three several heads of interest, redemption, and investment. The interest account shall show how much has been paid on account of the registered debt, and how much on account of matured coupons. (Code 1899.)

12. After the receipt of the January reports of the auditor and treasurer, the board shall carefully examine the same and require the auditor to produce before them all coupon bonds and coupons cancelled, and all matured coupon bonds paid during the preceding year. Upon careful review of such accounts, the board shall cause all such coupon bonds and coupons to be burnt and destroyed in their presence, preserving a full record thereof. (Code 1899.)

13. On or before the first regular meeting of the city council in February of each year, the board shall make a report to the city council of their proceedings during the previous year, forwarding therewith copies of all reports made to them during such year by the auditor and the treasurer. (Code 1899.)

14. That from and after April 19, 1909, the city of Richmond shall provide a fund for the purpose of assuming and carrying the risk of loss by fire on all public buildings and property owned by the municipality. For the purpose of creating and fostering said fund, hereafter there shall be placed semi-annually, in the months of January and July of each year, to the credit of the "Board of Sinking Fund Commissioners—Fire Insurance Fund" the sum of two thousand dollars, which sum shall be held and invested as a distinct fund by that board, together with any interest receipts derived from said appropriations or investments of the fund, until such time as the amount so accumulated shall justify the city in carrying its entire insurance risks, which amount shall not be less than one hundred thousand dollars (\$100,000.00). In the event of a loss the board of sinking fund commissioners shall, from the fund hereby created, pay to the city treasurer for the use of the department sustaining loss, the amount necessary, after deducting amount paid on policies carried on the same property in insurance companies, to repair or replace the property destroyed, when claim has been filed with the said board properly authenticated showing the loss. (April 19, 1909.)

15. The committee on finance are hereby charged with the placing of all insurance and are instructed to continue such insurance on the property as now exists, or increase or diminish the same as they may deem proper for the best interests of the city, and to insure other properties if needed, charging the premiums paid to the expense account of the department having charge of or using the building or property. (April 19, 1909.)

CHAPTER 21.

CONCERNING THE GROUNDS AND BUILDINGS OF THE CITY.

1. The committee on public grounds and buildings shall be charged with, and have the care and management of, all the grounds and other real property of the city, both within and without the city, except as hereinafter mentioned, so far as relates to the improvements and repairs thereof. No improvements or repairs shall be made or done to or upon any of the said property by the committee, at a cost exceeding one hundred dollars per month, in any one year without authority from the city council. (Code 1899.)

2. The said committee shall report to the city council annually, or oftener, as they deem it proper, the state and condition of all the lands and buildings belonging to the city, and all such improvements and repairs as they may deem proper to have made or done to or upon any portion of the said property, or to the streets or other highways adjacent thereto, and at the same time render an account of all moneys received and expended by them; which said report shall be accompanied by an estimate of the costs of such improvements or repairs to be made by the superintendent of public grounds, as well as of all money expended by them or under their order in the improvements or repairs of the same. (Code 1899.)

3. The building inspector shall be superintendent of all buildings, within and without the city, belonging to the city, except buildings located in any park, which buildings, so located, shall be under the control of the engineer of the city. The said inspector or engineer, as the case may be, shall, once in every three months, or oftener if he deem it necessary, report to the said committee the state and condition of the property under his control, the repairs done or necessary to be done upon or to the same, and the cost thereof, and make such suggestions as he may deem proper for the improvement of such property, or any part thereof. Under the control and direction of the said committee, the superintendents, respectively, shall, as far as practicable, keep all said property in good order and prevent injury to any part or portion thereof, and for that purpose they are respectively hereby given and vested with the powers and authority of a police officer of the city, and shall report promptly to the police justice all violations of any ordinance of the city

or of the law of the State, committed in, to, or upon said property; and all keepers of public grounds and buildings are hereby vested with the power and authority of police officers while in the discharge of their duties. (August 28, 1908.)

4. The said superintendent may, under the direction of the committee, make and sign any contract for the execution of work ordered by them under this ordinance, or under authority from the city council; and whatever work is so ordered, when executed, shall be paid for by a draft upon the auditor, stating the amount to be paid, and for what; which draft shall be signed by the chairman of the committee, after examining and approving the same. (Code 1899.)

5. If the city council shall at any time authorize any buildings or other real estate owned by the city, to be rented out, the superintendent shall, under the control and direction of the committee, rent out the same, and shall report to the auditor of the city all such contracts, stating the property rented, and to whom, what rent is to be received, when it commenced and when it is to terminate. (Code 1899.)

6. This chapter shall not apply to the almshouse and the grounds attached to it, the old reservoir, the gas works, the burying grounds, market houses, school houses or the engine, hose and truck houses of the fire department and the grounds belonging thereto. But it shall apply to all the land, houses and roads included in what is known as the grounds of the new reservoir and new pump house, except the said pump houses and the yards thereto attached, the race-ways thereto pertaining, the valve vaults, and the new reservoir itself to the bottom of the outer slope of its banks; all of which land and houses, so excepted, shall remain subject to the control of the committee on water. The power is hereby reserved to the committee on water to make from time to time any necessary repairs in the pipe-lines situated in any part of said grounds and roads, and to construct necessary extensions of the present lines therein, and such branches therefrom as may be needed in the future. The committee on water shall also have power to dig and remove from such points, as may be from time to time designated by the city engineer, such clay and gravel as may be needed for the race-ways thereto pertaining, the valve vaults, race-ways, and pipe lines. (Code 1899.)

7. That the city hall, when completed, shall be under the care and management of the committee on grounds and buildings. (Code 1899.)

8. The following shall be the number and designation of the persons employed in the said building:

Two engineers and machinists, two firemen, three elevator men, not more than seven janitors, and two watchmen. (July 19, 1907.)

9. It shall be the duty of the committee on grounds and buildings, as soon as practicable after the first day of January, 1894, and the first day

of January of every even year thereafter, to elect a suitable person for each one of the places above mentioned. Such persons shall hold their respective positions for two years unless sooner removed by the city council of Richmond, or by said committee. The said council may remove any one of said employees at any time with or without cause. The said committee may at any time remove each of them for good cause after notice given. The building inspector may at any time for reasons satisfactory to himself, suspend any one or more of said employees until the next meeting of said committee, at which he shall lay before said committee the reasons for his action. The committee may then restore said employee or employees, or continue said suspension for a length of time not to exceed one month, or may remove said employee. If he should be restored, the said committee shall determine whether he shall be paid for the time of said suspension. (Code 1899.)

10. The watchmen and janitors employed in the city hall shall prevent dogs from entering said hall and eject any dog found therein; and the said committee shall have suitable placards printed and displayed in the said hall informing the public that dogs will not be allowed to enter said building. (September 15, 1899.)

11. It shall be unlawful for any officer or occupant of any room or quarters in the city hall to make repairs, changes or alterations to rooms, locks, keys, furniture or other equipment of the city hall without first obtaining the consent of the committee on grounds and buildings. Any person violating the provisions of this section shall be liable to a fine of not less than five nor more than fifty dollars for each offense, recoverable before the police justice of the city of Richmond. (October 25, 1907.)

12. The said committee shall determine the duties to be performed by each of said employees, and shall prescribe such rules and regulations for their respective guidance as may be deemed best by said committee. (Code 1899.)

13. That the keepers of parks and the city nurseryman shall be at work and in attendance at the parks and nursery daily as follows:

In December, January and February, from 7:30 A. M. to 6:30 P. M.

In March and November, from 7 A. M. to 7 P. M.

In April, May, September and October, from 6:30 A. M. to 8 P. M.

In June, July and August, from 6 A. M. to 11 P. M. and as long thereafter as may be necessary.

Including times for meals.

At the nursery, in the summer, from 7 A. M. to 6 P. M., and in winter from 7 A. M. to 5 P. M.

The keepers of parks shall be on duty on Sundays after 2 P. M.

They shall keep the parks and nursery in proper condition, neat and in thorough repair, preserve order and show proper attention to visitors and prevent depredations of all kinds. For the present there will be allowed four laborers throughout the year at William Byrd park and two at the city nursery, one laborer throughout the year at Chimborazo and one laborer throughout the year at Monroe square, one laborer throughout the year at Marshall square, one laborer throughout the year at Jefferson park, one laborer throughout the year at Gamble's Hill park, and one laborer throughout the year at Taylor's park. Additional or extra help will be allowed only at the discretion of the committee on grounds and buildings, when from time to time, in their judgment, it may be necessary. The keepers of parks and nursery shall report their wants and needs from time to time to the city engineer, who shall report the same, with his recommendations, to the committee for their action. Keepers are not required to wear uniforms, but must wear their badges at all times. Leaves of absence may be given the keepers and nurseryman for a day at a time by the city engineer, but any longer leave must be authorized by the committee. In all cases of absence the keepers must furnish a substitute, to be approved by the city engineer. The city nurseryman and his help shall be at work at the nursery, except when engaged in collecting trees from the country, planting and trimming trees in the parks and on the streets of the city. (February 10, 1910.)

14. That the committee on grounds and buildings be, and they are hereby, authorized, if they shall see fit so to do, to let the use of the main hall in the first regiment armory for a bicycle school, subject to such restrictions as the said committee may see proper to impose; provided, that any rent they may obtain for the same shall be paid into the city treasury; and provided further, that any gas used by the person or persons to whom the hall is let shall be paid for by them. Hereafter the uses of said building shall be restricted to military parades, drills, reviews and inspections and similar purposes, except upon the permission of the committee on grounds and buildings. (Code 1899.)

15. That the armory located on the east side of Seventh street, north of Leigh street, on what is known as the City Spring lot, shall be under the control and supervision of the committee on grounds and buildings, and its use and occupancy may be granted by said committee to the Richmond Howitzers company for such uses as will be promotive of the discipline and efficiency of said company, subject, however, to such conditions and restrictions as may seem proper to said committee, but no charge or expense shall be entailed upon the city of Richmond by reason of such use. (July 15, 1904.)

16. That the property, buildings and grounds appurtenant thereto, situated at the corner of Clay and Twelfth streets, now used and occupied by the Central School of this city be, and the same is hereby, dedicated and transferred to the Confederate Memorial Literary Society for their use and occupation; provided, that so much of said grounds as fronts thirty feet on Twelfth street, running back throughout the depth of said property between parallel lines as may be deemed necessary by the city school board for the use of the city for school purposes shall be, and is hereby, reserved for the city. That the delivery of possession of the said property to said Confederate Memorial Literary Society shall be made as soon as proper provision can be made elsewhere for the accommodation of the school now occupying the said building. The transfer of said grounds and building shall be made to said Confederate Memorial Literary Society by the proper authorities of the city, under the direction and advice of the city attorney. (Code 1899.)

17. That the property purchased under the resolution of July 7, 1887, known as "Doen's Hill," and all additions thereto, constituting what is commonly called Doen's Hill park, is hereby given the name of "Jefferson Park." (Code 1899.)

18. The committee on grounds and buildings shall have authority to appoint a keeper for Riverside park, who shall hold office subject to the provisions of the city ordinances governing the keepers of the other city parks. In addition to his duties in keeping the said park in proper condition, the keeper of Riverside park shall also care for and keep in a neat condition the triangular square bounded by Beach, Harrison and Cary streets. (May 21, 1906.)

19. That police power be, and the same is hereby, conferred upon the keeper of Marshall reservoir to extend over the said reservoir and its grounds; and over the neighboring city property known as the "Clarke Spring property," as well as over all territory in every direction that is within two hundred yards of the limits of the said reservoir grounds and the said Clarke Spring property, respectively. (March 12, 1909.)

20. That the committee on grounds and buildings be, and they are hereby, authorized and directed to appoint a suitable person to have charge of and be keeper of Monument avenue and Allen avenue grass plots, Asbury place and Cutshaw place, such appointment to be made in accordance with the ordinance of the city now in existence relative to the appointment of keepers at the other parks, whose duties shall be, under the supervision of the said committee and the city engineer, to keep said park in a proper condition and prevent trespassing on same. (January 15, 1909.)

21. The property owned by the city and known as Taylor's Hill, located at the northeast corner of Franklin and Twenty-first streets, is hereby designated and shall hereafter be known as Taylor's park. (November 18, 1909.)

22. The committee on grounds and buildings be, and they are hereby, authorized to appoint a custodian of the city auditorium located at the southeast corner of Cary and Linden streets, subject to the general provisions now prescribed by ordinance, or which may be hereafter prescribed thereby relating to custodians or janitors of city buildings. It shall be the duty of said custodian to keep said building in proper condition, prevent depredations and perform such other services in relation thereto as may be prescribed by the committee on grounds and buildings, who are hereby expressly authorized to prescribe additional rules and regulations in regard to the duties of the said custodian, not inconsistent with this ordinance or any other ordinance of the city of Richmond. (December 17, 1908.)

23. That piece of property now owned by the city of Richmond, bounded on the north by Park avenue, on the south by Ivy street, and on the west by Meadow street, and fronting 342 feet on Ivy street, 363 feet on Park avenue, and 131 feet on Meadow street, situated in the territory generally known as Lee district, is hereby dedicated to the memory of Colonel Wilfred E. Cutshaw, for thirty-four years the city engineer of the city of Richmond. As a memorial of his competency, efficiency and faithfulness the above described tract or parcel of ground shall be hereafter known and designated upon the maps and plans of this city as "Cutshaw place." (July 13, 1908.)

24. That the extensive grounds owned by the city, on which is located a reservoir constructed some years ago for the storage of city water, and commonly known and called New Reservoir park, shall be known and designated as William Byrd park. Said grounds are so named by the city in grateful remembrance of its distinguished and honored founder. (October 4, 1906.)

25. It shall be unlawful for spectators or others present at games of baseball or football played on the grounds of the athletic field of William Byrd park to interfere in any manner with the players, and in order to prevent such interference, it shall be the duty of the keeper of William Byrd park to have designated by plainly marked lines or separated by ropes, the boundaries between the portion of such grounds set apart for the use of spectators from that portion which shall be devoted to the use of players in such games. Any person interfering with such players or trespassing on or upon the grounds assigned to the persons engaged in playing such games, during the progress of the game, shall be liable to a

fine of not less than two nor more than ten dollars for each offence, recoverable before the police justice of the city of Richmond. (October 17, 1908.)

26. If any person shall wilfully destroy, injure or in any manner deface any fence, railing, gate, machinery, any tree, shrub, plant, vine, building or other structure, or other property of the city within the grounds of the William Byrd park, or shall suffer any animal or fowl belonging to him to depredate upon the said grounds, or to injure any tree, shrub, plant, or vine within the said grounds, he shall be fined not less than five nor more than one hundred dollars. (Code 1899.)

27. That the committee on grounds and buildings be, and they are hereby, authorized to appoint a custodian of that portion of the combined market and armory building located at the northeast corner of Sixth and Marshall streets, occupied, or to be occupied, by the Richmond Light Infantry Blues' battalion, subject to the general provisions now prescribed by ordinance, or which may hereafter be prescribed, relating to custodians or janitors of city buildings. It shall be the duty of said custodian to keep the portion of said building under his care in proper condition, preventing depredation, and performing such other services in relation thereto as may be prescribed by the committee on grounds and buildings, who are hereby expressly authorized to prescribe additional rules and regulations with regard to the duties of the said custodian, not inconsistent with any ordinance of the city of Richmond. No compensation shall be paid to any custodian appointed until said market and armory building is finally completed and turned over to the city of Richmond, and actually occupied by the Richmond Light Infantry Blues' battalion and until said custodian is authorized by the committee on grounds and buildings to enter upon the performance of his duties. (April 16, 1910.)

28. There shall be appropriated annually to such companies of Virginia volunteer troops, infantry, cavalry and Howitzers, whose headquarters are established and maintained in the city of Richmond, such sums as the city council shall deem sufficient for partly or wholly maintaining same. The amounts so appropriated shall be used solely for the maintenance of the company receiving same in bettering the equipment, discipline, arms, or quarters of the men composing said company; and shall be paid upon warrants drawn by the commandant of said company, accompanied by properly approved bills or vouchers. All such warrants with the approved bills or vouchers to be filed with the city auditor. (May 25, 1905.)

29. That it shall be unlawful for any person wilfully to trespass upon any of the grass plots located on Monument avenue or other grass plots

similarly located in other sections of the city, or upon triangular grass plots owned or maintained by the city of Richmond, located at the junction or intersection of any of the streets or avenues of the city, and any person so trespassing shall be liable to a fine of not less than two nor more than ten dollars for each offence, recoverable before the police justice of the city of Richmond; provided, however, that nothing in this section shall prohibit children under the age of twelve years from playing upon said grass plots or adult persons attending such children while so engaged. (January 21, 1909.)

30. That it shall be unlawful for any person wilfully to injure or destroy any grass, shrub, tree, hedge, etc., in the parks, squares, streets or plots owned or maintained by the city of Richmond, and any person so injuring or destroying shall be liable to a fine of not less than two nor more than ten dollars for each offence, recoverable before the police justice of the city of Richmond; provided, however, that nothing in this section shall prohibit children under the age of twelve years from playing upon said grass plots or adult persons attending such children while so engaged, and it is further provided that the committee on grounds and buildings may, in their discretion, and under the direction of the city engineer, permit the playing of any games on such plots or courts laid off and designated for such purpose. (September 18, 1909.)

31. If any person shall fight or assault another in any place of public resort in the city of Richmond, or in the streets or public alleys of the city, he shall be fined not less than five nor more than one hundred dollars; and upon failure to pay such fine, shall be confined in the city jail not less than five nor more than thirty days. (Code 1899.)

32. Any person who wilfully and without cause destroys or injures any of the public buildings of the city, or mars, abuses or defaces the walls or floors of said buildings, or any of the furniture contained therein, shall be fined not less than five nor more than twenty dollars, and upon failure to pay such fine shall be imprisoned in the city jail not less than two nor more than ten days. (Code 1899.)

33. If any person shall wilfully destroy, injure or in any manner deface any church or other house of public worship, or other public building, in this city, belonging to this city or State, the county of Henrico, or the United States, or any enclosure thereof, or any tree or plant set on the outside of any such enclosure appurtenant thereto, or shall wilfully destroy, injure or deface any tree, shrub or other thing within any such enclosure, or shall suffer any animal or fowl belonging to him to injure or depredate upon the same, he shall be fined not less than two nor more than fifty dollars. And if any person other than the owner shall wilfully destroy, injure or deface any house or building, or the enclosure around

any lot not his own, or any tree, shrub or flower within the same; or if any person (without proper authority from the council) shall destroy, injure or deface any tree or tree-box upon the sidewalks or streets of this city, he shall be punished by like fine; and this section, with the assent of the governor, shall apply not only to the Capitol Square and the governor's house, but to all other enclosed grounds and buildings in this city belonging to the Commonwealth and to the enclosures thereof, and the trees, shrubbery and other things therein. (Code 1899.)

34. If any person shall wilfully destroy, injure or in any manner deface any grave, tombstone or monument in any public or private cemetery in this city, or if any person, other than the owner, shall wilfully destroy, injure or deface any fence or enclosure thereof, or any tree, shrub, flower, or other thing within such cemetery, he shall be fined not less than two hundred nor more than five hundred dollars; or, if the fine be not paid, imprisoned for not less than thirty nor more than ninety days. And if any person, other than the owner, shall pluck, take or remove from such cemetery any flower, wreath, vine, plant, or other ornament, he shall be fined not less than five dollars nor more than one hundred dollars; or, if the fine be not paid, imprisoned for not less than thirty nor more than ninety days. (Code 1899.)

35. The superintendent, assistant superintendent, and steward of the city almshouse, and the keepers and assistant keepers of all cemeteries, public buildings, parks or enclosures within the city, are vested with the powers of policemen of said city, so far as the limits of their respective cemeteries, buildings, parks or enclosures are concerned. (Code 1899.)

36. If any person shall post or paste any bill or notice of any description whatever, upon any wall, building, tree-box, or enclosure in the city, or paint or chalk, or in any manner deface the same, without the consent of the owner or occupier of the premises, he shall be fined not less than ten nor more than twenty dollars. (Code 1899.)

37. That the following playgrounds shall be established and maintained by the city of Richmond:

(a) On the north line of Williamsburg avenue and east of Gillies' creek, to be known as the "Williamsburg Avenue Playground," containing about three or four acres, now belonging to Mrs. ———— Marshall, the said property to be leased for one year with the privilege of leasing it for three years, and for the establishment, equipment and maintenance of the same there shall be provided in the budget for the year 1909 the sum of \$1,100.00.

(b) In the schoolyard of the Marshall school building, between Nineteenth and Twentieth streets, on Marshall street, to be known as the "Marshall Playground," and there shall be provided in the budget for the year 1909 the sum of \$100.00 for the equipment of the said playground.

(c) On a site to be hereafter selected, to be located between Eighteenth and Twenty-fifth streets, and Marshall and Franklin streets; for the improvement, equipment and maintenance of the same there shall be provided in the budget for the year 1909 the sum of \$2,000.00.

(d) In the schoolyard of the "Fairmount school building," located at Twenty-first and T streets, to be known as the "Fairmount School Playground," and in the schoolyard of the "Bellevue school building," located at Twenty-second and Broad streets, to be known as the "Bellevue School Playground," and the sum of \$200.00 shall be provided in the budget for the year 1909 for the equipment of said playgrounds.

(e) Lot of irregular shape located on Tenth street, between Clay and Leigh streets, fronting one hundred and fifty-nine feet on the east side of Tenth street and running back to Eleventh street, a part of which property is already owned by the city of Richmond, to be known as "Shockoe Playground," and for the purchase of the necessary ground, equipment and maintenance of the same there shall be provided in the budget for the year 1909 the sum of \$3,100.00.

(f) Lot of irregular shape fronting on Moore street one hundred and ninety feet and running back to Bacon Quarter branch a distance of three hundred and fifty feet, to be known as "Moore Street Playground" (for the use of colored children), and for the rental, equipment and maintenance of the same there shall be provided in the budget for the year 1909 the sum of \$700.00.

(g) To be established on a part of the Clarke Spring property now used by the city of Richmond, to be known as "Clarke Spring Playground," and for the maintenance and equipment of the same there shall be provided in the budget for the year 1909 the sum of \$100.00. (February 17, 1909.)

38. That all matters relating to the acquisition, rental, maintenance, management, supervision, control and expenditure of all appropriations made for the purpose shall be under the supervision of the committee on grounds and buildings, with the advice and aid of the city engineer; excepting that the playgrounds located in the public school yards shall, after the installation of the equipment, be under the supervision and control of the city school board. The committee on grounds and buildings may accept such aid from the civic improvement league as said committee deems best. (February 17, 1909.)

CHAPTER 22.

CONCERNING THE CITY CEMETERIES.

1. The committee on cemeteries shall have the control and management of the Shockoe Hill and Oakwood cemeteries. So far as the same is not already done, or the ground is not already appropriated, the committee shall have authority to lay off the grounds into sections, half sections, and quarter sections, and to fix the price of each section, half or quarter section, and to divide the grounds so as to appropriate a part for the burial of colored persons. But the burial of colored persons in Shockoe Hill cemetery shall not be authorized in any part thereof which is now reserved for the burial of white people. The committee shall also have a general control over the manner and arrangement of the interments in said cemeteries; of the preservation, improvement and embellishment of the grounds, and over the keepers and other persons employed about them, and they shall, from time to time, visit and inspect them. (Code 1899.)

2. The keeper of Oakwood cemetery, appointed in the month of July, 1900, shall hold office until his successor is appointed, as hereinafter provided. The committee shall, in the month of July, 1902, and biennially thereafter, in the month of July, appoint a keeper for Oakwood cemetery, who shall take charge of the same and keep it in good order. The keeper shall act under the directions of the committee; and the committee shall take care that he performs his duties, and, if he neglects the same, the committee may remove him and appoint another in his place, and shall report to the city council the cause of his removal. If at any time the said office is vacant, the committee may fill the vacancy. The said keeper shall receive, in full compensation for his services, a salary of seventy-five dollars per month, and be entitled to live, free of rent, in the house on the premises; provided, however, that no payments on account of salary shall be made to him until he shall have made all reports or returns that may be required of him by this ordinance or by the committee on cemeteries. The superintendent of the almshouse, having been also make keeper of the Shockoe Hill cemetery, shall, as such keeper, be under the direction of the committee thereon, who shall see that the said keeper performs his duties, and, if he neglects the same, the committee shall report him to the city council, he shall perform all the duties imposed upon him by this chapter, and shall keep an account of all moneys received by him for

burial, and of all expended by him in the hire of hands and other necessary expenses of the said cemetery, and shall make monthly reports thereof to the committee, which monthly reports shall be consolidated quarterly and returned to the auditor. And at the time of returning the said consolidated quarterly report he shall pay to the treasurer such sum as shall have been received by him for burials during the preceding quarter. (November 16, 1900.)

3. Any white person, a resident of the city of Richmond or county of Henrico for one year, may select in the said cemeteries any section, half section, or quarter section, to which no other person has acquired title, and obtain from the keeper a certificate of his location. But no location of any person in his own right, or on his own account, shall be of more than a section, or less than a quarter section, unless some military company or some society, with the consent of the committee, purchase one or more sections; and they shall be required to conform to the ordinances. (Code 1899.)

4. Upon such certificate of location being presented to the treasurer, and upon payment being made to him of the price fixed by the committee for the section, half section, or quarter section, as the case may be, the treasurer shall issue and deliver to the person making the location and payment a certificate describing the number of the range and the number of the section; and if the location be of less than a whole section, the number of each half or quarter section, and setting forth that the person is entitled to the section, half section, or quarter section so paid for, which certificate shall be in the following form:

No.

This is to certify that.....is entitled to the use, as a place of burial, of.....burying ground of the city of Richmond, Virginia, at.....cemetery. The right hereby vested in the said.....may be transferred by an assignment upon the back of this certificate, signed by the said....., or his personal representative, attested by two witnesses.

Given under my hand, as treasurer of the city of Richmond, this day of, nineteen hundred and

.....,

Treasurer.

And said certificate shall have the following form printed on its back:

I,, hereby transfer all right under the within certificate to

Given under my hand this day of, nineteen hundred and

.....

And in case of the loss or destruction of a certificate so issued, the treasurer, on proof satisfactory to him of such loss or destruction, shall issue a new certificate to the original holder or to any transferee of him. And where a certificate has been assigned on the back thereof, as hereinbefore provided, the treasurer, on the surrender of such certificate by such assignee, shall issue to him a new certificate for the location to which he may be entitled by virtue of such assignment to him. (January 18, 1910.)

5. The person to whom the treasurer issues such certificate; or the assignee, to whom such person may in writing on the back of his certificate transfer his rights, shall thenceforth be entitled to the section, half section, or quarter section so paid for, as a burying place for himself or for any white person who is a member of his family, or one of his descendants or friends. And when a section, half section, or quarter section shall remain without any interment therein for twenty years, and the purchaser or his assignee shall have died or removed from the city, and no relative of them is known to the committee to reside in the city, the committee may give notice thereof once a week for four weeks in a newspaper published in the city; and if no relative of the purchaser or his assignee appear within thirty days from the last day of said publication, then the said section, or half section, or quarter, as the case may be, shall revert to the city. And whether there be such reverter or not, the city council may, at any and all times, regulate the interments in said cemetery, or any part thereof, as may seem to it proper. (January 18, 1901.)

6. A citizen of this city, or a citizen of Henrico, or any stranger or person visiting the city or county, may be buried in that part of the cemetery appropriated for promiscuous interment, and called the "public portion," on payment of two dollars and fifty cents to the keeper of the cemetery. The said keeper to make a monthly report to the city auditor of all such interments, and at the time of making such report, he shall pay into the city treasury, upon the warrant of the auditor, such sum as shall have been received by him for said interments. (Code 1899.)

7. Notwithstanding the provisions hereinbefore contained, a person convicted of an offence, for which an infamous punishment is denounced, shall not be interred within the enclosure of the cemetery, unless a majority of the committee assent thereto. (Code 1899.)

8. The keeper, when informed that a grave is required for the body of any person, if such person is to be buried in a section which has been

purchased, shall have the grave dug in the section, in the spot designated by the friend of the deceased who applies to him; and in other cases the grave shall be dug in a proper place; and in either case he shall have the body properly interred therein. (Code 1899.)

9. Every grave which the keeper has dug, whether for the body of a white or colored person, shall be at least six feet deep, unless the committee shall authorize a less depth in the "public portion"; and in no case shall it be of less depth than five feet. And no interment shall be made in said "public portion" which shall disturb the remains of a dead body, or which shall displace or injure any monument, stone, or slab erected over a grave. (Code 1899.)

10. Under the direction of the committee, the keepers shall plant trees and other plants in and through the grounds, and shall improve and keep in order the walks and grounds. (Code 1899.)

11. Whenever any person shall die in the city of Richmond, it shall be the duty of the physician who attended during his or her last sickness, or of the coroner, when the case comes under his notice, to furnish within six hours after receiving notice of said death, to the funeral director, or other person applying therefor, a certificate, written in ink, setting forth, as far as the same can be ascertained, the full name, sex, color, age, residence, place of nativity, occupation, condition (whether married, single, widowed, or divorced), the birthplace of father and mother, the date of birth of the person deceased, and the cause and date of death. Said certificates must be filed at the office of the board of health within eighteen hours after they have been received from the said physician or coroner, and a burial or transit permit obtained from said board of health. (January 13, 1900.)

12. No person having charge as sexton, keeper, or otherwise of any vault, burying ground or cemetery within the city, or its sanitary or police jurisdiction, shall be allowed to bury any dead person in any grave, vault or tomb under the charge of said keepers or sextons, until he has been furnished with a permit from the board of health so to do. (Code 1899.)

13. No undertaker or other person shall move the dead body of any person who has died in the city, and has not been buried, to any place beyond the limits of the city, or of its sanitary jurisdiction, without procuring a permit from the board of health, upon the aforesaid certificate from the attending physician or coroner. Nor shall any master, agent, or person having charge of or attached to any steamboat, sailing or other vessel, car, stage, or any other public or private conveyance, move, convey, or allow to be conveyed, the dead body of any person who has died in the city, to any place beyond the limits of the city, or of its sanitary jurisdiction, without a permit as aforesaid. (Code 1899.)

14. In case any person shall die without the attendance of a physician, or if the physician who did attend at the time of the death refuses or neglects to furnish a certificate as aforesaid, it shall be the duty of the undertaker, or of any person acquainted with the facts, to report the same to the health officer, or the board of health, who shall be authorized to give a certificate as aforesaid, provided, it be not a case requiring the attendance of the coroner. (Code 1899.)

15. Every sexton or other person having charge of any burying ground, cemetery, or vault, within the city or its sanitary jurisdiction, shall, before twelve o'clock of Monday of each week, make return to the board of health, of the number of bodies of persons buried since the last return thereof, with the certificate required in section eleven, and in such form and specifying such particulars as the special regulations of the board of health shall require. (Code 1899.)

16. In case any physician or coroner shall refuse or neglect to furnish such certificate as aforesaid, he shall forfeit and pay the sum of five dollars for each offence; and every undertaker, sexton, or other person removing the dead body of any person, or who, having charge of any vault, burying ground or cemetery, steamboat, vessel, car, stage, or any other public or private conveyance, refuses or neglects to perform any of the duties required by this ordinance, shall forfeit and pay for every such offence the sum of twenty-five dollars. (Code 1899.)

17. Any person who shall shoot, hunt, or range over the grounds of a city cemetery shall, upon conviction of such offence, be liable to a fine of not less than five nor more than twenty dollars. And the keepers of city cemeteries are hereby invested with police jurisdiction and authority to arrest any and all persons so offending, and carry him or them before the proper officer, to be dealt with according to this ordinance. And said keepers are directed to post at conspicuous points of the cemeteries, under their charge respectively, due and full notice of this ordinance. (Code 1899.)

18. No disinterment of a body shall be made in any cemetery except upon the written consent of the president of the board of health. (Code 1899.)

19. That hereafter no enclosure be allowed to be placed around any section in Oakwood or Riverview cemeteries or Shockoe Hill burying ground other than a granite curbing, granolithic curbing, or stone or granolithic post with galvanized iron rods, the post not to exceed twenty-four inches in height and the rods not to be less than two inches in diameter, in any part of the said cemeteries or burying ground. When any of the wood-fences, or chain fences with wooden posts, now standing come to be in a dilapidated condition, either from decay or want of paint, so

that it becomes an eye-sore and a nuisance, the owner of said enclosure shall be notified that if the fence is not put in good condition, after reasonable notice, that same will be removed by direction of the keeper, and in no case shall the fence be replaced by any other enclosure than that named in this section. Gardeners, or others employed by lot-owners to work on lots, shall remove all rubbish and excavated earth, which they may make, to dumps, which shall be designated by the keeper, and for failure to comply with this requirement shall be subject to a fine of one dollar for each offence, to be recovered before the police justice, and when the fine is not paid, the person or persons offending shall be prohibited from working in the grounds for a period of twelve months. No person shall be allowed to use hose for watering or sprinkling private section lots. The keeper shall remove all decorations whenever, in his opinion, it may be necessary or proper to do so. No trees growing within a lot or border, or in or on the side of an avenue, walk or path shall be removed, destroyed or mutilated, nor shall any tree or shrub larger than a monthly rosebush be placed on a lot, or border of same, without permission of the committee on cemeteries. If any trees or shrubs situated in any lot shall, by means of their roots, branches or otherwise, become detrimental to the adjacent lots or avenues or paths, or dangerous or inconvenient to passengers they may be removed by order of the committee, and they shall have the right to enter into the lot and remove the said tree or shrubs, or such parts thereof, as are thus detrimental or inconvenient. (December 22, 1904.)

20. If any monument or effigy, or any structure whatever, or any inscription be placed in or upon any lot, which shall be determined by the major part of the committee for the time being to be offensive or improper, the said committee, or a major part of them, shall have the right, and it shall be their duty, to enter upon such lot and remove the said offensive or improper object or objects. Persons who do any work upon lots shall not raise or change the grade of same without first getting the proper grade from the keeper. The keeper shall reside at the cemetery, but this provision shall not apply as to the place of residence of the keeper of Shockoe Hill burying ground, and under the direction of the committee, have the sole power to engage and discharge workmen and to order and arrange their respective duties. No man on the cemetery payroll shall be allowed to work for any other party than the cemetery. Vehicles, persons on horseback and bicycles will be allowed to pass through the grounds only on carriage ways, and at a rate not exceeding three miles an hour. Drivers of carriages at funerals are required to remain in their seats during the performance of funeral ceremonies, and their employers will be held liable for any violation by them of the rules

of the cemetery. Employers will also be held liable for any damage to enclosures, tomb or cemetery property by their drivers.. (Code 1899.)

21. Schools and other large assemblies, except in attendance on funerals and memorial occasions, shall not be admitted. No horse shall be left unfastened by the driver, nor shall it be fastened where it may do injury. No person having refreshments will be admitted. Dogs will not be admitted. Firearms shall not be discharged on the grounds, except at military funerals or on memorial day. All persons are prohibited from carrying any flowers from the grounds, either wild or cultivated, or breaking any tree, shrub or plant, and from writing upon or defacing or injuring any monument, fence or other structure in or belonging to the cemetery. All persons disturbing the quiet and good order of the place by noise or other improper conduct, or who shall violate any of the foregoing rules, shall be compelled instantly to leave the grounds. The keeper shall prohibit the entrance of all improper persons. No money shall be paid to the keeper, or any other person in the employ of the cemetery, in reward for any personal service or attention. Children will not be admitted, except in the discretion of the keeper, unless attended by a competent person, who will be responsible for their conduct. No grave nor tomb shall be opened for interment or removal by any person not in the employ of the cemetery. Graves shall be dug only by persons in the employ of the cemetery and under the direction of the keeper, and reasonable notice must be given the keeper of the time of burial. (Code 1899.)

22. All interments will be subject to the following charges, which, in all cases, must be paid in advance:

For adult—Ground, \$2.50; opening, \$4.50.....	\$7 00
For children under twelve years.....	3 00
For children under five years.....	2 00
For bricked grave for adult.....	9 00
For bricked grave for child under twelve years.....	6 00
For bricked grave for child under five years.....	4 00
For lining grave with white cloth, city to furnish cloth.....	1 00

SINGLE GRAVES.

For adult—Ground, \$2.50; opening, \$4.50.....	\$7 00
For child under twelve years—Ground, \$2.50; opening, \$3.00...	5 50
For child under five years—Ground, \$2.50; opening, \$2.00.....	4 50

In case of bricked graves reasonable notice must be given the keeper, if possible. Whenever a single grave shall become vacant by removal of

the body, or bodies, therein, the land shall revert to the city. Single graves are not transferable. The keeper shall report all violations of the provisions of this ordinance. (Code 1899.)

23. The piece of ground purchased by the city as evidenced by deed dated March 17, 1887, and recorded in deed-book 134 B, page 61, shall be known as Riverview cemetery, and the city council shall annually provide such a sum of money for its maintenance and improvement as the said council may deem best; the said sums to be expended by and under the direction of its committee on cemeteries, unless otherwise ordered. (Code 1899.)

24. The said committee shall have control and management of the said cemetery, and, so far as has not already been done, the committee shall have authority to lay off the grounds into lots, in accordance with the map and plan of the said cemetery recently prepared by the city engineer, which said map is hereby made a portion of this ordinance. (Code 1899.)

25. The said committee shall have said map or plan properly framed, and the same when so framed shall be hung up in the office of the city auditor. The said committee shall also have copy of the same made and shall have the same framed, which said copy shall hereafter be hung up in the office of the superintendent or keeper of said cemetery. The size, locations, or numbers of lots, vault sites, and spaces in the single grave portion, as designated on said map or plan, shall not be altered except by authority of the city council. (Code 1899.)

26. The said committee shall formulate a list of prices to be charged for said lots, vault sites, and spaces in the single grave portion and shall report the same to the city council for approval or amendment. The prices adopted by said council shall continue until changed by the same. (Code 1899.)

27. The committee shall also have a general control over the manner and arrangement of the interments therein, of the preservation, improvement, and embellishment of the grounds, and over its keeper and such other persons as may be employed therein and shall from time to time visit and inspect the same. (Code 1899.)

28. The committee shall within sixty days after the passage of this ordinance, and again in the month of July, 1891, and biennially in the month of July thereafter, appoint a keeper of said cemetery who shall take charge of the same and keep it in order. The keeper shall act under the direction of the committee; and the committee shall take care that he performs his duties, and if he neglects the same, the committee may remove him and appoint another in his place, and shall report to the city council the cause of his removal. If at any time the said office is vacant the committee may fill the vacancy for the unexpired term. The said

keeper shall receive in full compensation for his services a salary of nine hundred dollars per annum, payable monthly on warrant signed by the chairman of the said committee, and shall be entitled to occupy the dwelling in said cemetery free of charge; provided, however, that no payment on account of salary shall be made to him until he shall have made all reports, records or returns required of him by this or other ordinances. (Code 1899.)

29. The keeper, before entering upon the duties of his office, shall file with the city auditor a bond for five hundred dollars, with surety, for the faithful performance of his duties, but said bond shall first have been approved by the committee on finance. In case of reappointment the keeper shall provide a new bond. (Code 1899.)

30. The committee shall provide proper books in which the keeper shall make such records as may be required by the city council or the committee; the said committee shall also provide such printed blank forms as may be needed to carry out the provisions of this ordinance. (Code 1899.)

31. The committee shall designate a portion of the cemetery as sites for vaults and shall cause to be made a plan of said portion, having such sites numbered, and shall prepare a list of prices therefor and shall present said plan and list to the city council for approval or amendment. (Code 1899.)

32. Without authority from the city council no vault shall be erected or constructed in any part of the said cemetery except such portions as are designated on the last mentioned plan for vault sites. (Code 1899.)

33. The regulations governing the sale and purchase of vault sites shall be the same as provided in this ordinance for the sale and purchase of lots, unless otherwise ordered by the city council. (Code 1899.)

34. Vaults shall be built internally in such a manner that but one interment can be made in each receptacle, and each receptacle shall be provided with a tablet of stone or marble ready prepared for the inscription desired, so that each receptacle can be, and each receptacle shall be, permanently and tightly sealed immediately after an interment be made therein; all such work is to be at the expense of the owner of the vault. (Code 1899.)

35. Such walls of vaults as will be exposed to view shall be constructed of dressed stone or marble, and the other portion of the walls, if built of brick, shall be of good well-burnt bricks properly laid in cement at least thirteen inches in thickness and well locked at the angles. Such pieces of stone or marble as may be used shall be of sufficient size to extend from the inner to the outer surface of the wall, and where angles occur, each alternate course shall be interlocked so as to prevent separa-

tion of the walls. The foundations of the front walls shall be set at least three feet below the surface of the ground. Proper means for drainage shall be provided by the owner. All vaults shall be built subject to the approval of the committee with the advice of the city engineer. (Code 1899.)

36. Whenever in the opinion of the committee the erection or construction of any vault shall be in violation of the requirements of this ordinance, the said committee shall have power to require that such erection or construction shall cease until alterations or changes satisfactory to said committee shall be made. (Code 1899.)

37. Builders of vaults shall not allow the material therefor to obstruct the roadway or walkways to an extent objectionable to said committee, and when the building of a vault has been commenced its erection shall be pushed to completion with diligence satisfactory to said committee, and all unused material shall be removed immediately after completion, and the roadways and walkways restored to a condition similar to the rest of the roadways or walkways, by the builder of the vault. (Code 1899.)

38. Owners of vaults shall not allow interments therein for a remuneration. (Code 1899.)

39. The interring or depositing in any vault in said cemetery of the remains of any person, who died of small-pox is forbidden. (Code 1899.)

40. The committee shall designate a portion or portions of the cemetery which shall be known as the single grave portion, and shall have made a plan of the same. It shall be laid off into spaces of suitable sizes for only one interment in each space, and said spaces shall be numbered on said plan. Interments in said single grave portion shall conform to the spaces. (Code 1899.)

41. The said single grave portion shall be divided and laid off so that interments of persons under fourteen years of age shall not be made beside persons over that age. (Code 1899.)

42. Purchasers may select such space in the single grave portion as they desire, provided, they comply with the foregoing section. (Code 1899.)

43. Any white person who has a father, mother, child, sister or brother buried in a space in the single grave portion may purchase not exceeding two other spaces contiguous thereto, to have and to hold for future use; but such purchase must be made in the manner provided in this chapter for the purchase of lots, and all purchasers shall be subject to all reservations provided for the sale of lots. The keeper shall keep a record of said sale the same as is provided for sales of lots. (Code 1899.)

44. The charges for digging graves in the single grave portion shall

be the same as provided in this chapter for digging graves in lots. (Code 1899.)

45. The keeper shall comply with section twelve of this chapter, and he shall copy from the certificate therein mentioned into a suitable book the name, sex, age, color, residence, place of nativity, and condition (whether married or single) of the person deceased, and the cause and date of death, date of burial, and number of lot, and number of space therein, or number of space in the single grave portion, or number of vault, as the case may be, in which the deceased has been interred, and said entries shall be consecutively numbered. (Code 1899.)

46. The keeper shall keep posted in a conspicuous place in his office a printed or plainly written copy of this ordinance, also a list of the prices of lots, vault sites, and spaces in the single grave portion; and of charges for digging graves, for disinterments and for reinterments. He shall see that the provisions of this ordinance are complied with and shall immediately report any violation thereof to the chairman of the committee. (Code 1899.)

47. The keeper, under the direction of the committee, shall plant trees and other plants and shrubs in and through the grounds, and shall properly care for the same. He shall improve and keep in order the roadways, walks, and unsold grounds. (Code 1899.)

48. The keeper, when informed that a grave is required for the burial of a person, if such person is to be buried in a lot which has been purchased, upon first receiving the sum fixed for digging the same, shall have the grave dug in the spot designated by the friend of the deceased who applies to him; if the spot in the lot be not thus designated, he shall have it dug in one of the spaces into which the lot is divided as shown by the plan of the same, and he shall have the body properly interred therein when brought to the cemetery. If the person is to be buried in the single grave portion, upon first receiving the sum fixed for the space and also for the digging of the grave, unless otherwise instructed by the committee or by the provisions contained in this ordinance, he shall have the grave dug in the space next a space previously occupied, unless a friend of the deceased selects a different one, and he shall have the body properly interred therein when brought to the cemetery, but no grave shall be dug nearer the boundary line of any lot than six inches. (Code 1899.)

49. The keeper shall record in a suitable book the sale of all lots, vault sites, spaces in the single grave portion, date of sale, price received therefor and by whom received, and the number of the lot, vault site, or space in the single grave portion, and the name of the purchaser. All such

entries shall be consecutively numbered. In case of transfer of ownership of any lot, or vault site, by sale or otherwise, he shall draw a line with ink through the record above mentioned, and shall write the words transferred to (A. B.), and shall again record the sale with the name of the new owner, and with the words transferred from (C. D.) and the date of transfer, omitting the price. But no such change in the record shall be made until proper evidence of such transfer of ownership has been presented to the committee and the change in the record has been ordered by the committee. (Code 1899.)

50. The keeper shall pay on the first day of each month to the city treasurer, on the warrant of the city auditor, all moneys received by him during the preceding month, under the requirements of this ordinance, and shall make monthly reports thereof to the committee. He shall also report the number of lots, vault sites, and spaces in the single grave portion sold, and the number of burials, reinterments and disinterments made, and the amounts of money received respectively therefor. (Code 1899.)

51. The keeper shall perform such other duties as may be required of him by the provisions of this ordinance and such other ordinances as the city council has or may ordain, and as may be required by the committee. (Code 1899.)

52. Any white person, a resident of the city of Richmond or county of Henrico for one year, may select in this cemetery any lot, vault site, or space in the single grave portion, to which no other person has acquired title and shall obtain from the keeper a certificate and duplicate thereof of his location, which shall state its price and number on the map of the cemetery. But no location of any person in his own right, or on his own account, shall be of more than two lots, vault sites or spaces in the single grave portion, unless some military company, or some society, being composed of white persons, shall, with the consent of the city council, purchase four or more lots, or vault sites, and they shall be required to conform to the ordinances. Nor shall any person purchase less than one lot, or vault site, or space in the single grave portion; provided, when a space in the single grave portion is needed for immediate use, payment for the same may be made to the keeper, who shall give to the purchaser a receipt for the money, which shall state the number of the space in the single grave portion, and the keeper shall pay said money to the city treasurer, as provided in section fifty of this chapter. (Code 1899.)

53. Upon such certificate and duplicate being presented to the city treasurer and upon payment being made to him, upon the warrant of the city auditor, of such price as has been affixed to the location thus selected,

the treasurer shall issue and deliver to the person making the location and payment, a certificate describing the said location by number, its area and boundaries, and setting forth that the person is entitled to the location thus described, under the regulations and restrictions and with the reservations contained in this ordinance and such other ordinances as the city council has or may ordain, for use as a burial place for himself, or for any white persons who are members of his family, or for his descendants, or friends; but no purchaser shall allow a burial in his lot for a remuneration. No title to such lot, space or vault site shall pass until the delivery by the city treasurer of said certificate to the purchaser, or his agent. (Code 1899.)

54. The treasurer shall endorse on the duplicate mentioned in the foregoing section, the name of the person to whom the said certificate had been delivered, for the location described in the duplicate, and the date thereof, and shall deliver the said duplicate to the keeper on the first day of the month next ensuing. The keeper upon receiving the duplicate shall make a record of the same as required herein and file away the duplicate. (Code 1899.)

55. Purchasers shall not erect any enclosure, other than vaults, on the land purchased by them. But purchasers may set stone or marble curbing not exceeding nine inches in height above the surface of the ground, and, also may set stones or marble posts not exceeding eighteen inches in height above the surface of the ground nor more than eight inches in cross section, to define the angles of the boundaries of their lots and the entrance thereto, but such curbing or posts must be set entirely within the boundaries of the purchaser's lot, unless by consent of the owner of adjoining lot. (Code 1899.)

56. Purchasers shall not remove or plant any tree within the boundaries of their lots, nor allow any plant, shrub or vine to remain in their lots which the committee deems detrimental to the appearance or good order of the cemetery, and the committee shall notify the owner, if possible, and the owner shall remove the plant, shrub or vine complained of forthwith. Should the owner allow such plant, shrub or vine to continue to remain in his or her lot the keeper shall, if so directed by the committee, remove the same. (Code 1899.)

57. No person shall plant, trim, or remove any tree in the cemetery except by the direction or with the consent of the committee. (Code 1899.)

58. Owners of lots shall remove to such places as the keeper shall, under the direction of the committee, designate all refuse material incidental to the improvement or cleaning of their lots, and shall not allow the same to remain in the walks and roadways. (Code 1899.)

59. No owner of any lot shall allow to remain therein any monument, or stone, nor any inscription, which the committee deems improper or offensive, and the keeper shall, if so directed by the committee, remove the same; but the owner shall, if possible, be first notified to remove the same, by the committee. (Code 1899.)

60. No person shall, within said cemetery ride or drive faster than a walk, nor tie any animal to any tree. Nor shall any person ride or drive on any grounds other than the roadways, nor injure the roadways by driving heavily laden vehicles thereon, nor shall any one walk on any ground save his own enclosure, except on the regular walkways and roadways. The keeper shall report to the police justice any person who violates the provisions of this section. (Code 1899.)

61. Notice to the keeper to dig a grave shall be given at such time as will allow for such digging at least eight hours of daylight before the burial, except when the deceased died of small-pox or some contagious disease. (Code 1899.)

62. A person who desires to have removed from his or her lot or vault or from a space in the single grave portion the remains of a person interred therein, shall apply in writing addressed to the keeper for permission and shall state in writing the name of deceased, the date and cause of death, relationship of deceased to applicant, number of lot, vault, or space in which then interred, and number of lot, vault or space (or name of cemetery, if elsewhere), in which the remains are to be reinterred, and reason for removal. But no such permission for such disinterment shall be granted, nor shall said disinterment be made until the application has been approved by the board of health. But the committee may allow a receiving vault to be built by a purchaser of a vault site, and shall establish rules and regulations which shall be observed by the owner in his management of the same. (Code 1899.)

63. The charges for disinterring the remains, or for removal from one vault to another in this cemetery, shall be the same as for digging a grave and shall be paid to the keeper, who shall have such disinterment or removal done, and he shall account for the same to the city treasurer as provided in section fifty of this chapter. (Code 1899.)

64. The keeper shall keep a record of all disinterments, the name of the deceased, the number of the lot or vault, or space from which the remains were taken, and also of where they are to be reinterred, also the name of the person who orders the disinterment, and the date thereof. He shall also mark opposite the record of the interment a note of the disinterment, and the date thereof. (Code 1899.)

65. Any person desiring to have reinterred the remains of a white person brought from another cemetery or burial place, shall furnish the

keeper with a certificate from the board of health, setting forth, if possible, the name, age, sex, color, condition (married or single), cause and date of death, and residence of deceased, and name and location of former burial place. The keeper upon receiving the charges fixed therefor, shall have the remains properly reinterred in such place as may be selected by the person having said remains in charge. (Code 1899.)

66. The keeper shall keep a record of all reinterments similar to that required for burials; and the charges, and the depths of graves for reinterments, shall be the same as for burials, and the keeper shall account for the said charges to the city treasurer in the same manner that he shall account for other sums received by him. (Code 1899.)

67. In case of the death of the purchaser of a portion of this cemetery, his widow shall be recognized as the owner thereof, and in case of her death, the heirs-at-law of the purchaser, but should the purchaser of any portion of this cemetery die or remove from the city and no relative of his be known to the committee to reside in the city, and the said portion have had no interment made therein for the twenty years following its sale, then the committee shall give notice thereof once a week for four weeks in a newspaper published in the city (designated for the city advertising), and if no relative of the purchaser appear within thirty days from the last day of said publication, then the said portion shall revert to the city. (Code 1899.)

68. The certificate of purchase shall be exhibited to the keeper when ordering a grave, should he deem it necessary to establish the authority of the person giving the order. (Code 1899.)

69. The keeper shall have power to compel any person to leave the cemetery who behaves in a boisterous or an improper manner therein, and it shall be his duty to report such person to the police justice of said city, who shall have power to impose a fine of not less than two nor more than five dollars upon such person for such misconduct, to be collected as are other fines due to the city. (Code 1899.)

70. The city hereby covenants and agrees to keep and maintain perpetually in a neat and proper condition each lot, to keep upright the monuments or stones therein, and to keep and maintain in good repair, so long as the same shall continue intact, any vault in this cemetery whose owner shall pay into the city treasury the sum of one hundred dollars in addition to the purchase money for each lot, or for each single vault site owned by him or her. Upon receiving from the city treasurer a written notice that the sum or sums of money required by this section have been received by him, the city auditor shall issue to the person paying the same, a certificate, of like date, setting forth the covenant and agreement which the city in accordance with this section makes, and

with the portion of the cemetery, or with the vault site designated therein by number, and its boundaries properly described, and he shall keep a record of the same. The city auditor shall deliver to the keeper on the first day of the month thereafter, a duplicate of the foregoing certificate, who shall keep a proper record of the same in his office, and the committee shall see that the keeper performs such duties as are undertaken by the city under this section. (Code 1899.)

71. Owners of portions of this cemetery who desire to avail themselves of the provisions of the foregoing section shall first notify the committee in writing and the committee shall see that the said lot and the monuments or stones therein are in good condition or the said vault is in good repair, and only upon finding such to be the case shall notify the city auditor, who, only when he has received such notice, shall issue the certificate therein mentioned. (Code 1899.)

72. That a lot of ground, 2,540 feet of Division 3, Plat B, of Riverview cemetery, the same being quarter sections twelve, thirteen, fourteen, fifteen, twenty-seven, twenty-eight, twenty-nine, and thirty of said division and plat of said Riverview cemetery, be, and the same is hereby, donated to R. E. Lee Camp, No. 1, Confederate Veterans, to be used for the burial of Confederate women who may die in destitute circumstances, who otherwise would have to be buried at the expense of the city. The said lot of ground shall be enclosed by the said R. E. Lee Camp, No. 1, Confederate Veterans, and such other organizations as may be associated with them, and without any cost to the city of Richmond, with such enclosures as may be approved by the committee on cemeteries. This ordinance shall be null and void if such enclosures are not erected within six months from the date of its approval. (Code 1899.)

73. That a lot 40x50 feet in Plat B, in Riverview cemetery, be, and is hereby, donated to the Virginia Home for Incurables; the said lot shall be enclosed by the said Virginia Home for Incurables, and without cost to the city of Richmond, with such enclosures as may be approved by the committee on cemeteries. This ordinance shall be null and void if such enclosure is not erected within six months from the date of its approval. (Code 1899.)

74. That the committee on cemeteries be, and they are hereby, authorized to sell to the Order of Ancient Free and Accepted Masons of the city of Richmond, a lot in Riverview cemetery for the sum of \$150. Said lot to be selected in such portion of the cemetery as may be agreed upon by the committee on cemeteries and the properly authorized representative of said order. (Code 1899.)

75. That permission be, and is hereby, granted W. Hall Crew to place an iron railing around a section in Riverview cemetery. (Code 1899.)

76. That quarters 1, 2, 3 and 4, in lot 19; Division D, Section D—in Oakwood cemetery be, and are hereby, donated to the Foundling Hospital for the purpose of the burial of the inmates that die in said institution. This section is donated upon the condition that the authorities of the hospital will have it enclosed with a suitable granite curbing, and kept in neat and proper condition. (Code 1899.)

77. That a lot of ground in Plat "C," Division 12, in Riverview cemetery, comprising 1,997 square feet, the same being sections numbered 96, 97, 98, 121, 122, 123, of said division and plat be, and the same is hereby, donated to the Home for Needy Confederate Women, to be used as a place of burial for the inmates who die in said institution, in exchange for the lot of land and sections donated by the ordinance approved March 16, 1901. That the ordinance approved March 16, 1901, entitled "An Ordinance donating a lot in Riverview cemetery to the Home for Needy Confederate Women" be, and the same is, hereby repealed. (March 19, 1910.)

78. That the prices of lots and spaces in the single grave portion in Riverview cemetery, as fixed by the committee on cemeteries, be, and are hereby, approved—said prices being as follows:

For lots, from ten cents per square foot to fifty cents per square foot, except in section B, where the price shall be fifteen cents per square foot, and in section F, where the price shall be twenty-five dollars for a one-fourth section.

For spaces in single grave portion, for a single grave for a person under fifteen years of age, five dollars; for a grown person, eight dollars. (Code 1899.)

79. That the price for lots in plat A in Oakwood cemetery be, and is hereby, fixed at twelve cents per square foot. (Code 1899.)

80. That permission be, and is hereby, granted the authorities in charge of Monte Maria Convent, located at the corner of Twenty-first and Grace streets, to bury within the convent grounds the sisters of said convent, subject to the provisions of the city ordinances concerning burials within the city limits. (Code 1899.)

81. That permission be, and is hereby, granted to the family of the late Rev. George Woodbridge for the burial of one of their colored family servants in Shockoe Hill burying ground, in the section owned by the said family. (Code 1899.)

82. That the owner or owners of any sections in Shockoe Hill, Riverview and Oakwood cemeteries desiring to place his or their section under the perpetual care of the city of Richmond, may pay into the treasury of the city of Richmond the sum of one hundred dollars, in consideration of which payment the city of Richmond shall assume the perpetual care of

the section of such owner or owners and be obliged perpetually to keep the same in good order, free from weeds and undergrowth and properly turfed. All sums so paid into the treasury shall be placed to the credit of the sinking fund commissioners and by them invested, controlled and used for the redemption of some outstanding indebtedness of the city of Richmond in the same manner and subject to the same conditions as the sinking fund created for the redemption of the said debt is required to be invested, controlled and used. (February 22, 1906.)

83. There shall be annually appropriated in the budget and placed to the credit of the committee on cemeteries a sum equal to four per cent. of all payments made into the treasury under the foregoing section and the amount so placed to the credit of said committee shall be annually used and expended by said committee solely in caring for the section or sections whose owner or owners shall have made payments into the treasury under the foregoing section. It shall be the duty of the auditor annually to certify to the committee on cemeteries the amount appropriated and the number of sections and the owner or owners on account of which such appropriation shall be made. (February 22, 1906.)

84. That permission is hereby granted the properly constituted authorities of the Sacred Heart Cathedral to allow burials to be made in the mortuary chapel of the said cathedral, located on Laurel street, and bounded on the east by said Laurel street, on the north and west by Cathedral place, and on the south by Floyd avenue; such right, however, to extend only to the family and lineal descendants of the Honorable Thomas F. Ryan and any bishop of the Catholic diocese of Virginia, and to be continued only so long as the number of persons buried in said chapel shall not exceed fifty (50), and to be made only after the construction and material of the place of burial, and manner of making such proposed burials shall have been approved by the chief health officer of the city of Richmond; a permit for each of such burials to be required as in case of other burials, as prescribed by the ordinances of the city, except as hereinbefore modified. (March 7, 1907.)

85. That part of the cemetery located in Washington ward, formerly known as Maury cemetery, bounded as follows: Beginning at a point on the south line of Maury street one hundred and seventy-three and thirty-five one-hundredths feet west from Perdue avenue, thence westwardly along and fronting on Maury street sixteen hundred and eighty-three feet, thence southwardly along the line of the property of Walker's estate, a distance of twelve hundred and twenty feet, thence eastwardly along a line to a point distant twelve hundred and ninety-seven feet, thence northwardly along the line of city property a distance of sixteen hundred and thirty feet to the point of beginning, shall be continued to be known

as Maury cemetery, and shall be used as a burying place for white persons exclusively; and the residue of said cemetery, bounded as follows: Beginning at a point on the northern edge of Hopkins' road at its intersection with the property of Walker's estate, thence northwardly along the line of the property of Walker's estate to a point distant six hundred and sixty feet, thence in a eastwardly direction at right angles with the first mentioned line to a point distant twelve hundred and ninety-seven feet, thence southwardly six hundred and twelve feet along the line of city property to the western corner of the almshouse property on the Hopkins' road, thence westwardly twelve hundred and forty-five feet along the northern line of Hopkins' road to the point of beginning, shall be known as Mount Olivet cemetery, and shall be used as a burying place for colored persons exclusively. The city council shall annually provide such sum or sums of money for the maintenance and improvement of said cemeteries as the said council may deem best, the same to be expended by and under the direction of the committee on cemeteries, unless otherwise ordered. (June 18, 1910.)

CHAPTER 23.

CONCERNING ST. JOHN'S BURYING GROUND.

1. Whereas the lots on Richmond Hill, on which the old church stands, and which are known in the plan of the city of Richmond by the numbers ninety-seven and ninety-eight, were for a long period of time used as a place of burial for the citizens generally; and in 1799 the council purchased from John Adams lot number one hundred and eleven, and from Richard Adams, Jr., executor of Thomas B. Adams, lot number one hundred and twelve, and obtained deeds conveying the same to the city, which deeds were admitted to record in the county court of Henrico on the eighth of April, 1800; and thereupon the council, by an arrangement with the vestry of the said church, caused the said four lots, comprising one entire square, to be enclosed by a brick wall; and the square has thenceforth been used as a place for the interment of the dead of every religious denomination, until the council obtained other cemeteries; and whereas at the time of said arrangement it was understood that the corporate authorities of the city should incur all the necessary expense attending the erection of gates and steps, and keeping the enclosure in good repair; and should at all times have power to establish such regulations as they might think proper as to the ground within said enclosure; therefore, in the month of July, after the organization of the new council, or as soon thereafter as practicable, the president of the common council shall appoint three members of that body, and the president of the board of aldermen shall appoint two members of that body, to act as a committee of the square in which the church is situated. (Code 1899.)

2. The committee on St. John's burying ground shall cause to be kept in good order the whole of said enclosure, with the gates and steps for passing through it, and everything that is within the enclosure and outside the church. For these purposes the auditor shall pay, upon the order of the committee, a sum not exceeding two hundred dollars in any year. The auditor shall further pay, upon the order of the committee, a sum not exceeding seven hundred and twenty dollars, in payment of the salary of the keeper selected to take charge of said burying ground. Nothing in this section shall be construed to authorize the committee to prevent or interfere with the use of the church by the congregation thereof. (Code 1899.)

3. No body shall be buried in said square except by consent of the committee. Nor shall any body be buried in any place in the city, other than at a burying ground owned by the city, except in the burying ground of the Society of Friends, on Cary between Nineteenth and Twentieth streets, or that of the Hebrew congregation. Any person who shall bury, or cause to be buried, a dead body in a place in the city not allowed by this section, shall pay to the city a fine of five dollars for every day that said body shall remain in such place. (Code 1899.)

4. The police jurisdiction of the keeper of St. John's burying ground shall extend on the west over Twenty-fourth street between Broad and Grace streets; on the north, over Broad street between Twenty-fourth and Twenty-fifth streets; on the east, over Twenty-fifth street between Broad and Grace streets, and on the south, over Grace street between Twenty-fourth and Twenty-fifth streets. (January 8, 1909.)

CHAPTER 24.

CONCERNING THE POOR OF THE CITY.

1. The name of the City Almshouse is hereby changed, and shall hereafter be known as the City Home. (September 16, 1905.)

2. The committee for the relief of the poor shall have the government, control, and direction of the city home and grounds, and of any other buildings and grounds which may be acquired or used for the benefit of the poor of the city. It shall likewise have the government, control, and direction of all the officers, agents, nurses, and other employees connected with the institution, and of the poor receiving aid or relief from the city; and except the superintendent of the city home, it shall appoint all such officers, agents, and employees, prescribe their duties and fix their compensation. And it may prescribe the duties of the superintendent. (Code 1899.)

3. To carry out the foregoing powers and duties and to enforce and maintain discipline, the committee on relief of the poor shall have power and authority to adopt rules and regulations, not inconsistent with the ordinances of the city, for the government, direction and control of the institution and of the officers, agents, employees and inmates connected with it. (July 22, 1905.)

4. The officers of the institution shall be a superintendent of the city home, who shall be elected by the council, and there shall be appointed by the committee on relief of the poor the following additional officers: A first assistant superintendent; a second assistant superintendent; ten (10) doctors, who shall constitute a visiting staff composed of specialists in the different departments of medicine, and who shall serve without compensation. The committee shall designate from the visiting staff, appointed under this ordinance, a chief practitioner of medicine and a surgeon, who shall be held responsible for the professional conduct of the hospital in the institution during their term designated by the committee, and who shall be required to visit the institution daily, or oftener if necessary. The chief practitioner of medicine and chief surgeon shall have supervision and direction of all that relates to the sick within the institution and the sanitary condition of same; four resident physicians, whose term of service shall be so arranged as to overlap so that there may always be two experienced men as resident physicians in the hospital;

and a matron. Before the superintendent shall have authority to act as such he shall enter into bond to be approved by the city council in the penalty of five thousand dollars (\$5,000.00). He shall, by virtue of his office, be superintendent of the city hospital, the keeper of Shockoe cemetery and superintendent of public charities. His salary shall be fixed by the city council. (March 17, 1908.)

5. The committee may remove any officer, agent, or employee engaged in the institution except the superintendent, and they may, for any misconduct or neglect of duty, suspend him from the performance of his duties and report the fact to the city council; and for this purpose shall call a meeting of the city council within three days; and the city council shall either restore him or dismiss him from his office, as his conduct shall merit. (Code 1899.)

6. Any person who has lived in the city for one year at the time may, by himself or herself, or another person, apply to one of the committee of the ward in which such applicant lives, or to the superintendent of the city home, for relief, either for such applicant or his or her family; and if the said member of the committee shall be satisfied that the applicant, or the family, are proper subjects for the city home, he shall give to such applicant an order to the superintendent, directing him to receive the applicant or the family, as the case may be, into the city home; and upon presentation of such order to the superintendent, he shall receive the person or persons who are embraced in it and provide for them until the physician of the city home shall make his next visit. He shall then report the case to the physician, who shall examine the parties; and if he shall be of opinion that he or they are proper subjects for the city home, he shall endorse the order to that effect, and the party or parties shall be permitted to remain. But if the physician shall be of opinion that the party or parties are not proper subjects for the city home he shall endorse the same on said order, and the superintendent shall dismiss them; and said party or parties shall not be again admitted to the city home for the same cause, except by order of the committee. The superintendent of the city home shall receive into the city home such foundlings of the city as may be presented to him for admission, and said foundlings shall be cared for during such time and under such regulations as the committee on relief of the poor may prescribe. (Code 1899.)

7. No outdoor relief, save under general regulations adopted by the committee, or under order or resolution of the council, shall be given, except in the most urgent cases, in which a physician attending on the person for whom application for relief is made, shall state in writing, or a member of the committee for the ward, upon his own view, shall be of opinion that the person cannot be removed to the city home without endangering his life. In such case and upon such statement the

superintendent of the city home may furnish such relief as he shall deem necessary, and shall report the case to the committee at its next meeting. (Code 1899.)

8. In cases in which a person who has not lived in the city for a year, is in the city sick and destitute, or not in a condition to provide for him or herself, or his or her children, he, she, or they may be sent to and received and examined and treated at the city home in the mode prescribed in the sixth section of this chapter, but shall only remain there until he or she has recovered from his or her sickness, or is in a condition to provide for him or herself, or the children. But the superintendent may, with the concurrence of the physician and the committee, discharge them at any time. And if any person is in the city sick and destitute, or if any destitute female and children, unable to provide for themselves, are in the city, and are likely to become chargeable to the city, the committee may send such persons to their homes; and the expense of so doing shall be paid by the auditor, upon the order of the chairman. (Code 1899.)

9. The committee shall hold regular sessions at such times and place as they may designate except during the months of February, May, August and November when the regular meeting shall be held at the city home, and the day of meeting in each case shall be fixed by them. At each monthly meeting of the committee, the superintendent and any other officer or agent empowered by the committee to make any contract which involves the expenditure of money, shall present his account for the transactions of the previous month, with his vouchers; and after the same has been examined by the committee, so far as the same is ascertained to be correct, it shall be approved; and in every case a copy of said account shall be returned to the auditor; provided, that the expenses of the institution for the said previous month do not exceed the amount to which the city council may have restricted the expenditure, or which they may have appropriated for the relief of the poor, if a specific appropriation has been made for that purpose. (December 13, 1901.)

10. The committee shall keep a record of its proceedings. The clerk shall certify to the auditor of the city the names of the several officers appointed by the committee under the first section, and the amount of compensation allowed to each. And the said officers may draw the same in monthly instalments, upon application to the auditor. (Code 1899.)

11. The committee shall report monthly to the city council; in which report they shall state the number of persons admitted, discharged, and died at the city home in the month, showing how many were white and how many colored, and the amount expended by the committee in the month for the support of the poor, distinguishing the amount expended

for those at the city home or other buildings used for their lodging, from the amount expended for outdoor relief. They shall also state the quantity of corn-meal, fuel, number of burials, and number of prescriptions furnished for outdoor relief in the month. They shall also make such recommendations upon any or all of the objects included within the sphere of their powers and duties, as they shall be of opinion should be acted on by the council. (Code 1899.)

12. In respect to all matters not provided for in this chapter, the committee shall have the power and perform the duties vested in and required of overseers of the poor by the thirty-eighth and one hundred and fifteenth chapters of the Code of 1904, so far as the same are not inconsistent with this ordinance. And, if in executing any power or duty under the said chapter of the Code of 1904, it shall be necessary to act as overseers of the poor, they shall be such for that purpose, and they shall act with the organization they have as a committee, the chairman acting as the president of the board. (Code 1899.)

13. All institutions or societies that now, or hereafter may, receive appropriations from the city on account of charity, are hereby required to make such reports to the superintendent of public charities as the committee for the relief of the poor may direct. (Code 1899.)

14. The funerals of persons buried at the expense of the city shall be conducted in a decent and proper manner, and without undue haste. (Code 1899.)

15. The committee on relief of the poor is hereby authorized and instructed to have telephone communication with Oakwood cemetery perfected and maintained at the expense of the city. (Code 1899.)

16. The keeper of Oakwood cemetery shall receive, whenever practicable, from the superintendent of the city home at least twelve hours notice of the funerals of persons mentioned in the fourteenth section. In no case shall the bodies of such persons be allowed to remain at the city home more than forty-eight hours before burial. (Code 1899.)

17. There shall be seven free dispensaries, to be selected and located by the committee on relief of the poor, which shall be compensated as follows:

Dispensary—first district	\$40 62 per quarter.
Dispensary—second district	\$39 07 per quarter.
Dispensary—third district	\$39 06 per quarter.
Dispensary—fourth district	\$37 50 per quarter.
Dispensary—fifth district	\$37 50 per quarter.
Dispensary—sixth district	\$37 50 per quarter.
Dispensary—seventh district	\$37 50 per quarter.

(August 15, 1902.)

18. The steward of the city home shall give a bond in the sum of one thousand dollars in some guarantee company, acceptable to the committee on relief of the poor, for the faithful performance of his duties. (Code 1899.)

19. There shall be employed at the city home two drivers of the city ambulance, who shall receive for their services a salary of \$80.00 per month. - (Code 1899.)

20. The said drivers shall be appointed by the superintendent of the city home subject to the approval of the committee on relief of the poor, and shall be governed by the rules and regulations for the government of the city home. (Code 1899.)

21. That the legacy of one thousand dollars, given to said city by the late A. B. Goodman be, and the same is hereby, accepted. That the auditor be, and he is hereby, instructed to issue a bond of said city for the sum of one thousand dollars, bearing interest at the rate of five per cent., made payable thirty-four years after date to the "city of Richmond, trustee, under the will of A. B. Goodman." That the said one thousand dollars shall be invested in said bond by and with the consent of the executor of said A. B. Goodman. That the said bond, when received from the said executor, shall be securely kept by the auditor of said city until placed elsewhere by ordinance of said city. That the interest accruing thereon shall be annually appropriated by the city council "for the benefit of the poor of said city." That the said sum of one thousand dollars shall be held in perpetuity for the charitable purpose designated in said will. (Code 1899.)

22. Whenever the city accident ambulance shall be passing along any of the streets of the city in responding to any call, it shall be the duty of the drivers of all vehicles to give the way nearest to the middle of the street for the unobstructed passage thereof; and any driver of any vehicle failing to do so, shall be fined not less than two nor more than twenty dollars, and upon failure to pay said fine, he shall be confined in the city jail not less than ten nor more than thirty days. If any person interfere with the physician or the driver of the city accident ambulance in the discharge of their duties, he shall be fined not less than two nor more than twenty dollars, and upon failure to pay the said fine, shall be confined in the city jail for not less than ten nor more than thirty days. (Code 1899.)

23. It shall be one of the duties of the police officers of the city to give to some member of the committee for the relief of the poor such information in relation to every person going about begging, or staying in any street or other place to beg, as will enable such committeeman to proceed in the case according to section 885 of the Code of Virginia, 1887. (Code 1899.)

CHAPTER 25.

CONCERNING THE ORGANIZATION, POWERS AND DUTIES OF THE BOARD OF HEALTH, AND ITS OFFICERS AND EMPLOYEES.

1. That a board, to be known as the board of health, be, and the same is hereby, created, to be composed of five members, all of whom shall be citizens and voters in the city of Richmond, and at least three of whom shall be doctors of medicine, to be elected by the council of the city of Richmond in joint session, as soon as may be after the passage of this ordinance. The members of said board shall hold office for a term of three years from the date of election, except the members first elected under this ordinance, who shall hold office—two for one, one for two, and two for three years, respectively, from the first day of July, 1906, and thereafter until their successors are elected and qualified, the respective terms of whom shall be ascertained at the first meeting of the said board, at which the board shall proceed to ascertain by lot the length of term each shall serve—that is to say, that the two members drawing the lowest numbers shall serve one year, the one drawing the next lowest number two years, and the remaining two members three years. The members of the board shall not be entitled to any compensation. (June 18, 1906.)

2. The members of said board shall meet as soon as practicable after this ordinance is in force in the office of the health department in the city hall, and after taking the oath of office, proceed to organize by electing one of their number president, and shall elect another president pro tempore, who shall preside and exercise the other duties of the president in his absence or when otherwise incapacitated to act. (June 18, 1906.)

3a. The board of health of the city of Richmond are hereby authorized and required to appoint the following officers:

(1) A chief health officer at a yearly salary of three thousand dollars, who shall devote his entire time to the duties of his office, and shall be ineligible to election or appointment to any other position. (March 10, 1910.)

(2) A medical inspector who shall be a physician or a skilled sanitarian, who shall devote his entire time to the duties of his office, and who shall, under the chief health officer, investigate all cases of contagious or infectious diseases with a view of locating their origin and preventing

the spread of contagion, and who shall have special charge of the enforcement of quarantine regulations and discharge such other duties as the board of health may prescribe, for which services the said inspector shall receive the annual salary of fifteen hundred dollars. (May 20, 1907.)

(3) City bacteriologist at a yearly salary of nine hundred dollars. (June 18, 1906.)

(4) Plumbing inspector at a yearly salary of fourteen hundred dollars (November 16, 1907), and an assistant plumbing inspector at a yearly salary of one thousand (February 14, 1908).

(5) Fumigator at a yearly salary of nine hundred dollars. (June 12, 1908.)

(6) Food inspector at a yearly salary of nine hundred dollars (June 18, 1906); one assistant to food inspector at a yearly salary of nine hundred dollars (February 10, 1910), and one assistant food inspector, who shall be an analytical chemist at a yearly salary of seven hundred and twenty dollars (June 18, 1906).

(7) Clerk of the health department at a yearly salary of nine hundred dollars. (June 18, 1906.)

(8) A registrar of vital statistics at an annual salary of twelve hundred dollars. (May 20, 1907.)

(9) A stenographer at an annual salary of six hundred dollars. (May 20, 1907.)

(10) Four sanitary officers at a yearly salary of nine hundred dollars each (one of whom shall be a practical plumber). (June 18, 1906.)

3b. All of which salaries shall be payable monthly upon the warrant of the board of health, and shall not be increased or diminished during their term of office, and all of which officers shall be appointed for a term of two years, or until their successors are appointed and qualified, unless sooner removed; and the said board of health may employ and discharge assistants to such officers and other employees necessary to make effective the administration of the health department; provided, however, that such force shall not be so increased as to incur any liability on the city beyond appropriations made for the maintenance of said department. All such officers, assistants, and employees may, at any time, be removed by the said board for cause deemed sufficient by them, or such fines or suspensions may be imposed for cause, as the board may deem proper. All fines shall be put in the general fund. The board is hereby authorized to investigate any incapacity, insubordination or other dereliction of duty on the part of any officer or employee, and in any such investigation the board shall have the power to send for persons and require their attendance and to require the production of papers, and by their presiding officer to administer an oath. The said board are hereby empowered to pre-

scribe, from time to time, the duties of such officers and employees. (June 18, 1906.)

4. The board of health shall have and exercise fully all powers necessary to secure the inhabitants of the city of Richmond from contagious, infectious or other dangerous diseases, and shall, in addition, have all powers necessary for the suitable government, management, maintenance and direction of the health department of the city of Richmond, not, however, in violation of the charter and ordinances of the city of Richmond. (June 18, 1906.)

5. The wards of the city shall be carefully inspected twice a month from April to September, and once a month for the balance of the year, visiting all localities suspected of being unhealthy or exposed to disease. The board of health shall suggest to the council such measures as they think fit to preserve the health of the city, and especially to prevent the introduction and spread of contagious and infectious diseases, and to prevent or regulate the pursuit of callings prejudicial to the public health or comfort. They shall also consider and report upon all such matters as may be referred to them by the city council, and make annual reports of their proceedings. (Code 1899.)

6. The members of the board are hereby invested with police authority in the performance of their duties. They may require deleterious matter, wherever found, to be removed by the occupant of the premises (or by the owner, if the premises are unoccupied), and conveyed beyond the limits of the city; and they may require yards and premises and the street-gutters in front of any premises, when they think it important to the health of the neighborhood, to be cleansed and limed by the occupant or owner of such premises. The chief health officer shall report to the police justice all offences against the health regulations of the city, and all persons who fail, after five days' notice, to remove deleterious matter, or to cleanse and lime their premises and the gutters in front as aforesaid; and thereupon such person shall be fined, in the discretion of the police justice, not less than five nor more than twenty dollars, unless he is satisfied of their inability to comply with the orders of the board of health. (Code 1899.)

7. It shall be the duty of the city bacteriologist to make such examinations of cultures and specimens for the diagnosis of diphtheria, tuberculosis and typhoid fever and such other examinations properly within the scope of his office as the board of health may direct. (November 18, 1905.)

8. The board of health shall make such rules and regulations for the conduct of the office of city bacteriologist as it may deem proper. (November 18, 1905.)

9. The salary of the city bacteriologist shall be nine hundred dollars per annum, payable monthly, as other salaries are paid, and the sum of two hundred dollars is hereby appropriated for the equipment of the bacteriological laboratory to be expended by the city bacteriologist on the approval of the bills by the board of health. The running expenses of the laboratory, however, not exceeding thirty dollars per month, shall be paid out of the annual appropriation to the board of health. (November 18, 1905.)

10. That it shall be unlawful for any person wilfully to misstate or mislabel the source of any specimen submitted by him to the city bacteriologist for examination, or to make any other wilful misstatement, verbally or in writing, concerning the specimen so submitted. Any person violating the provisions of this section shall be liable to a fine of not less than ten nor more than fifty dollars, recoverable before the police justice of the city of Richmond. (October 15, 1906.)

11. The office of inspector of plumbing, created by the ordinance approved December 14, 1895, and the ordinances amendatory thereof be, and the same is hereby, abolished, and all of the duties now imposed upon the inspector of plumbing (under all of said ordinances are hereby imposed upon the inspector of plumbing) appointed by the board of health in pursuance of this chapter, so far as the same are not inconsistent herewith. (June 18, 1906.)

12. The office of inspector of milk and food supplies, created by the ordinance approved June 10, 1904, and the ordinances amendatory thereof be, and the same is hereby, abolished, and all of the duties imposed by said ordinance upon said inspector of milk and food supplies are hereby imposed upon and shall be performed by the inspector of food authorized to be appointed by this chapter. (June 18, 1906.)

13. Nothing in this chapter shall be construed to interfere with the street cleaning department of the city of Richmond or curtail the duties and powers of the committee on street cleaning of the council of the city of Richmond in relation thereto or in relation to the maintenance and control of the city crematory. (June 18, 1906.)

14. The said board of health is hereby expressly authorized and empowered to make and prescribe reasonable rules and regulations to carry out the powers hereinbefore conferred upon them, and any person, firm or corporation violating such rules and regulations shall be liable to fine of not less than two nor more than twenty-five dollars for each offence, recoverable before the police justice of the city of Richmond. (June 18, 1906.)

15. That it shall be the duty of the board of health, biennially between the first day of October and the first day of November of such

year to appoint as inspector of milk and food supplies to serve for the term of two years, unless sooner removed by the board of health, and thereafter until his successor is appointed and qualified according to law, who shall within thirty days thereafter qualify before the city clerk by entering into a bond in the penalty of one thousand dollars for the faithful discharge of his duties, and by taking and subscribing the usual oaths for the faithful performance of his duties. It shall be the duty of said inspector to report to and be subject to the control of the board of health, except in so far as any requirement of said board may conflict with this chapter or other ordinances of the city of Richmond. (June 9, 1904.)

16. The board of health shall be authorized in their discretion to employ from time to time, and for such time as they may designate, one or two assistants to the inspector of milk and food supplies, one of whom shall be an analytical chemist, to whom said board may assign such duties as they may deem expedient, and who, when acting in the place of said inspector, shall have all of the powers and authority vested in him under this chapter, and at all times shall have the powers and discharge the duties prescribed by regulations, to be adopted by the board of health as hereinbefore provided. (June 9, 1904.)

17. No person shall, within or without the city of Richmond, maintain or keep a stable or stables or a dairy farm for the purpose of producing milk to be sold or exposed to sale within the limits of the city of Richmond, nor shall any person within the limits of the police jurisdiction of the city of Richmond, outside of the public markets of said city, keep a room, stall, store or other place where any meat, butter, fish, fruit or vegetable, intended for human food, are sold or exposed to sale without first obtaining a permit so to do from the inspector of milk and food supplies of the city of Richmond. Application for said permit shall be made in writing, upon a form to be prescribed by said health officer, in which application it shall be stipulated that the said inspector or other health officer of the city of Richmond may from time to time inspect such place and premises and the milk produced or food supplies exposed to sale thereat, and also that such applicant will conform to the requirements of this chapter, and such reasonable rules and regulations as may be established by the board of health for the government of such place or places. Every person to whom such permit is granted, before he shall be entitled to carry on business, for which he desires such permit, shall pay to the auditor of the city of Richmond a fee of two dollars to cover the expenses incident to the inspection of milk and other food supplies in the mode prescribed by this ordinance. Before granting such permit it shall be the duty of said inspector to make, or cause to be made, an examination of the place and premises, which are intended to

be used in the maintenance of said dairy farm or stable, and of such place, stall or store, where is proposed to sell milk, meat, butter, fish, fruit, vegetables or other food supplies, and thereafter, from time to time, inspect the same, and if found in an unsanitary condition, such permit may be refused, or if granted, may at any time be revoked or suspended, without notice, by said inspector, if, in his judgment, such dairy, dairy farm or place is found to be in an unsanitary condition. (June 9, 1904.)

18. It shall not be lawful for any person by himself or by his servant or agent, nor for any such servant or agent of any person to sell, exchange or deliver, or to have in his or their custody or possession, with intent to sell, exchange or deliver or to expose or offer for sale as pure milk, any milk from which the cream or any part thereof has been removed, or which has been watered, adulterated or changed in any respect by the addition of water or other substance. (June 9, 1904.)

19. No dealer in milk, and no servant or agent of such a dealer shall sell, exchange or deliver, or have in his custody or possession with intent to sell, exchange or deliver, milk from which the cream or any part thereof, has been removed, unless, in a conspicuous place above the center, upon the outside of the vessel, can or package from or in which such milk is sold, the words "skimmed milk" are marked in distinct letters not less than two inches in length. (June 9, 1904.)

20. No person shall sell, exchange or deliver, or have in his custody or possession, with intent to sell, exchange or deliver, skimmed milk containing less than nine per cent. of the milk solids, exclusive of butter fats. (June 9, 1904.)

21. No person shall sell, or offer for sale, or otherwise dispose of, or shall transport or carry for the purpose of sale, or shall have in his or their custody or possession with intent to sell or offer for sale or otherwise dispose of any impure, adulterated or unwholesome milk, and no person shall sell adulterated milk, nor shall any person sell or offer for sale or otherwise dispose of any milk which is produced in whole or in part from cows kept in a crowded or unhealthy condition or fed on food that produces, or is likely to produce, impure, diseased or unwholesome milk, nor from cows fed on any substance in a state of putrefaction or rotteness, or upon any other substance of an unwholesome nature. (March 19, 1910.)

22. That the addition of water or any other substance or thing is hereby declared an adulteration, and milk that is obtained from animals that are fed upon any substance in a state of putrefaction or rotteness, or upon any substance of an unwholesome nature, or milk that has been exposed to or contaminated by the emanations, discharges or excrements

from persons sick with any contagious disease by which the health or life of any person may be endangered, or milk from tubercular cows, is hereby declared to be impure and unwholesome. (March 19, 1910.)

23. That all prosecutions under this chapter, if the milk shall be shown, upon analysis by the inspector of milk and food supplies, chemist or board of health, or by any chemist or chemists appointed or designated by the board of health to contain more than eighty-eight per cent. of watery fluids, or to contain less than twelve per cent. of milk solids, or to contain less than nine per cent. of milk solids, exclusive of butter fat, such milk shall be deemed, for the purposes of this ordinance, to be adulterated. (June 9, 1904.)

24. That if said inspector of milk and food supplies shall have reason to believe the provisions of this chapter are being violated, he shall have power to open any can, vessel or package containing milk, whether sealed, locked or otherwise, or whether in transit or otherwise; and if, upon inspection, he shall find such can, vessel or package to contain any milk which has been adulterated, or from which the cream or any part thereof has been removed, or which is sold, offered or exposed for sale, in violation of any section of this chapter, said inspector of milk and food supplies is empowered and directed to take a sample of the same for analysis and put it into a can, vessel or package, to be sealed in the presence of one or more witnesses, and sent to the chemist of the board of health or any chemist or chemists appointed or designated by the board of health; and also to condemn the same and pour the contents of such can, vessel or package upon the ground, or return the same to the consignor, and if, upon analysis, such milk shall prove to be adulterated, shall report the offender to the police justice. (June 9, 1904.)

25. That the board of health shall cause the name and place of business of every person convicted of selling adulterated milk, or of having the same in his possession, to be published in two daily newspapers of the city for five (5) times consecutively. (June 9, 1904.)

26. That no meats, butter, fish, birds or fowl, fruit or vegetables nor any milk, not being then healthy, fresh, sound, wholesome and safe for human food, nor any meat or fish that died by disease or accident, shall be brought within said city, or offered or held for sale in any public or private market, as such food, anywhere in said city. (June 9, 1904.)

27. That no cattle shall be killed for human food while in an overheated, feverish or diseased condition; and all such diseased cattle in the city of Richmond, and the place where found, and their disease, shall be at once reported to the inspector of milk and food supplies by the owner or custodian thereof, that the proper order may be made relative thereto, or for the removal thereof from said city. (June 9, 1904.)

28. That no meat or dead animal above the size of a rabbit shall be taken to any public or private market for food until the same shall have fully cooled after killing, nor until the entrails, heads and feet (except of game or poultry, and the heads and feet of swine), shall have been removed. (November 18, 1904.)

29. That no decayed or unwholesome fruit or vegetables, no impure or unhealthy or unwholesome meat, butter, fish, birds, or fowl shall be brought into said city, to be consumed or offered for sale for human food, nor shall any such articles be kept or stored therein. (June 9, 1904.)

30. That no meat, butter, fish, fruit, vegetables or unwholesome liquid shall knowingly be bought, sold, held, offered for sale, labeled, or any representations made in respect thereof, under a false name, or quality, or as being what the same is not, as represents wholesomeness, soundness or safety for food or drink. (June 9, 1904.)

31. That every person, being the owner, lessee or occupant of any room, stall or place where any meat, butter, fish, fruit or vegetables, designed or held for human food, shall put and keep such room, stall and place, and its appurtenances, in a clean and wholesome condition; and every person having charge, or interested or engaged, whether as principal or agent, in the care or in respect to the custody or sale of any meat, butter, fish, fruit, birds, fowl, vegetables or milk designed for human food, shall not allow the same, or any part thereof, to be poisoned, infected or rendered unsafe or unwholesome for human food. (June 9, 1904.)

32. It is earnestly desired that every person knowing of any fish, butter, meat, fowl, birds, fruit, vegetables or milk being bought, sold or offered, or held for sale as food for human beings, or being in any market, public or private, in said city, and not being sound, healthy or wholesome for such food, to forthwith report such facts, and the particulars relating thereto, to the inspector of milk and food supplies. (June 9, 1904.)

33. That upon any cattle, milk, meat, butter, birds, fowl, fish or vegetables being found by the inspector of milk and food supplies in a condition which is, in his opinion, unwholesome and unfit for use as human food, or in a condition, or of a weight or quality in this chapter condemned or forbidden, he is empowered, authorized and directed to immediately condemn the same, and cause it to be removed to the crematory for destruction, and report his action to the board of health without delay. (June 9, 1904.)

34. That any person who shall violate any of the provisions of the last foregoing twenty sections of this chapter shall be liable to a fine of not less than five nor more than fifty dollars for the first offence, and for the second offence a fine of one hundred dollars and revocation of the license,

said fine to be recoverable before the police justice of the city of Richmond. (June 9, 1904.)

35. The board of health are hereby authorized and empowered to prescribe rules and regulations particularly defining the duties of the inspector of milk and food supplies and of any assistants to such inspector, not inconsistent with the provisions of this chapter, and said board shall likewise be authorized to prescribe rules and regulations for the management of stables or dairy farms where cows are kept for the purpose of producing milk to be exposed to sale or sold within the city of Richmond, not inconsistent with the provisions of this chapter. (June 9, 1904.)

36. Every manager of a store, dairy, cafe, lunch-room, hotel, or other place in the city of Richmond where a food or beverage, or confectionery or other similar article is manufactured or prepared for sale, stored for sale, offered for sale, sold or otherwise dispensed, shall, under rules and regulations to be adopted and promulgated by the board of health, cause such place to be screened or enclosed so as to prevent flies and other insects from obtaining access to such food, beverage, confectionery, or other article. (August 13, 1910.)

37. All meat, dressed poultry or fish, confectionery, bread, pastry, or other cooked food, and berries, vegetables, fruit, or other article which may be used as human food without cooking or peeling, shall not be kept exposed for sale in any street or public place, or outside of any shop or store, or in the open window or doorway thereof, except under like rules and regulations adopted and promulgated as aforesaid, requiring the same to be kept covered or screened so that it shall be protected from dirt and flies. (August 13, 1910.)

38. No article which may be used as human food shall be stored, exposed or displayed on the surface of any street or floor of any market-house, nor shall such article be placed in any doorway or in front of any place of business, or in any other place accessible to dogs or other lower animals, but all such articles of food shall be placed upon a table, or otherwise properly supported so that it, and the surface of its container or support, shall be raised at least twenty-four inches above the street, sidewalk, platform or landing. (August 13, 1910.)

39. All meat, dressed poultry, fish, bread, pastry, confectionery or other provisions which may be used as human food, while being transported through the streets of the city, shall be so covered or screened, under rules and regulations to be adopted by the board of health, as to be protected from dirt and flies. (August 13, 1910.)

40. Any person violating any of the provisions of the four foregoing sections or any of the rules and regulations adopted in pursuance thereof shall be liable to a fine of not less than five nor more than twenty-five

dollars for each offence, recoverable before the police justice of the city of Richmond. (August 13, 1910.)

41. The last five foregoing sections shall be in force from August 13, 1910, except that no person shall be fined thereunder until ten days after the adoption of the rules and regulations authorized to be adopted by the board of health by said sections, and after the publication of such rules and regulations in the mode prescribed by the charter of the city of Richmond for the publication of certain ordinances imposing a penalty for the violation thereof. (August 13, 1910.)

42. That police power is hereby conferred upon the chief health officer, medical inspector, sanitary officers, including inspector of milk and food supplies and his assistant, and the inspector of plumbing and his assistant, while in the discharge of their official duties, and any person who shall, by threats or force attempt to intimidate or impede any one of said officers or employees while in the discharge of his duty shall be liable to a fine of not less than five nor more than twenty-five dollars for each offence, recoverable before the police justice of the city of Richmond. (January 20, 1903; June 9, 1904, and December 18, 1908.)

43. Every person who shall manufacture for sale, or who shall offer or expose for sale, any article or substance in semblance of butter or cheese not the legitimate product of the dairy, and not made exclusively of milk or cream, but into which the oil or fat of animals not produced from milk enters as a component part, or into which melted butter or any oil thereof has been introduced to take the place of cream, shall distinctly and durably stamp, brand, or mark upon every tub, firkin, box, or package of such article or substance, the word "Oleomargarine" in plain Roman letters, not less than half an inch square, placed horizontally in proper order—thus: "Oleomargarine"; or in case of retail sale of such article or substance in parcels the seller shall in all cases deliver therewith to the purchaser a written or printed label, bearing the plainly-written or printed word "Oleomargarine," in type or letters as aforesaid. (Code 1899.)

44. Every person who shall sell or offer to sell, or have in his or her possession with intent to sell, contrary to the provisions of this ordinance, any of the said articles or substances required by the first section of this ordinance to be stamped, marked, or labeled, as therein stated, not so stamped, marked, or labeled, or in case of retail sale without delivery of a label, required by the foregoing section, shall for each such offence forfeit and pay a fine of one hundred dollars, and one-half of such fine shall go to the informer. And upon failure to pay the fine, the party shall be confined in the city jail not less than five nor more than thirty days. (Code 1899.)

45. Any person applying to any merchant or merchants of the city of Richmond for a pound, or any quantity, of butter, and if oleomargarine is sold to them as butter, that the said merchant or merchants shall be subject to a fine of ten dollars for the first offence and twenty dollars for each and every violation thereafter. (Code 1899.)

46. No part of the contents of any privy, privy vault or box, sink or cesspool shall be removed therefrom or transported through any street, alley or other public place of the city of Richmond except as the same shall be removed and transported in such manner as shall be approved by the board of health of the city of Richmond, and under such rules and regulations as shall be adopted by said board of health, so as to prevent the contents from being unduly exposed to the open air during the process of removal and to insure regular, prompt and efficient removal thereof. (August 17, 1908.)

47. For the protection of the health of the citizens of Richmond, the board of health shall adopt rules and regulations governing the construction and maintenance of dry closets in the city of Richmond, and the removal of night soil in such sections as are not accessible to city water and city sewers. Said rules and regulations shall be published once a week for four weeks, immediately after their adoption, in one of the daily papers of the city of Richmond, and the contractor, or contractors, appointed under this ordinance shall distribute printed copies of said rules and regulations to all premises in the city on which are located dry closets, and printed copies to be furnished by the board of health. From and after thirty days from the last publication of said rules and regulations, it shall be unlawful for the owner of any occupied house in the city of Richmond to have on his premises any dry closet not constructed in conformity with said rules and regulations, and it shall further be unlawful for any occupant of said premises to maintain such dry closets in a manner not in conformity with said rules and regulations, and it shall be the duty of said contractors to report promptly to the chief health officer of the city of Richmond any violation of the provisions of this section, and any person violating any of the provisions of this section shall be liable to a fine of not less than five nor more than twenty-five dollars, recoverable before the police justice of the city of Richmond. (August 17, 1908.)

48. The board of health shall thereupon advertise for bids for the monthly removal of night soil from the whole city, or from such subdivisions thereof as they may determine, for and during the period of one or more years, not to exceed three years; provided, however, that the said board shall not be authorized to accept any bid for such removal in excess of thirty cents for a regular monthly removal from each privy in the city, or in the district as the case may be, where the amount so removed is not

in excess of three cubic feet, and ten cents per cubic foot where the amount exceeds three cubic feet; and, where the removal is made at other time than the regular monthly collection, the charge shall not exceed seventy-five cents for the first six and one-half ($6\frac{1}{2}$) cubic feet, or fraction thereof, and ten cents per cubic foot for each additional cubic foot over six and one-half cubic feet, all measurements to be made in accordance with the rules and regulations of the board of health, such additional removal to be made in every case within three (3) days after notification in writing from the chief health officer. After the receiving of such bids, the work shall be let by the said board to the lowest responsible bidder, upon his entering into a contract with the city of Richmond, and into bond in the penalty of one thousand dollars (\$1,000.00), with security satisfactory to the said board, conditioned for the payment of a stipulated and liquidated penalty of twenty-five dollars (\$25.00) for each failure fully and completely to comply with his contract, and conditioned further to pay all other costs and damages which may be incurred by the city of Richmond in case of a forfeiture of the said contract by reason of the unsatisfactory performance of its provisions by the said contractor as hereinafter provided. The person with whom such contract may be made, in full compensation for the doing of the work required in his contract and the furnishing of all the materials, tools, teams and labor necessary to carry out the same to the satisfaction of the board of health, shall be entitled to collect from the owner, occupier or tenant of the premises on which the privy or dry closet is located from which such removal is made, the fee or fees stipulated in and agreed upon in the contract authorized to be made as aforesaid, the payment of which sum or sums the contractor shall have the right to enforce by legal process after ten days' default in payment from application for payment; and where said contractor shall find it necessary to resort to legal process to enforce the collection of such charges, he shall be entitled to collect an additional sum equal to ten per centum of the amount of such charge, together with the costs of such legal proceedings. (August 17, 1908.)

49. Any contractor who shall charge against any owner, occupier or tenant for the removal of night soil a greater sum than that fixed in the contract, or shall make out and present a bill in which a greater charge is made than that authorized in the contract, shall be liable to a fine of not less than five nor more than ten dollars for each offence, except that the contractor may charge an additional sum, to be fixed by the board of health, in such cases as the night soil shall not have been placed in the box or shall, in whole or in part, have overrun or escaped therefrom, and any person who shall interfere with or impede any contractor of the city of Richmond in the removing of night soil in accordance with the terms

and provisions of this chapter, or under the contract made in pursuance thereof, shall be liable to a fine of not less than ten nor more than fifty dollars, which fine shall be recoverable before the police justice of the city of Richmond, and for the non-payment of a fine imposed under this section the person on whom such fine is imposed may be imprisoned not less than one nor more than five days. (August 17, 1908.)

50. Any person who shall remove any night soil contained in privies, vaults, sinks or boxes, except the contractor of the city of Richmond, or shall employ any person other than the contractor to make such removal, or shall bury or cover up any night soil on any lot, or on any street, alley, or other public place of the city shall be liable to a fine of not less than five nor more than fifty dollars for each offence, recoverable before the police justice of the city of Richmond. (August 17, 1908.)

51. The contractor shall in each case immediately after the removal of night soil deodorize and disinfect the premises from which night soil is so taken, with such disinfectants and in such manner, as he, the chief health officer, shall direct, and all night soil so removed shall be removed to and deposited in such place or places as he shall approve, which places shall at all times be open to the inspection and approval of the said officer, and shall be so kept at all times as not to become a nuisance. If the contractor, or his agents or servants, shall, in the removal of such night soil spill any in the streets, alleys or other public places of the city, or shall fail to disinfect and deodorize the premises from which he has taken night soil, or shall fail to deposit it at the places indicated by the said officer, or shall fail to keep such places in an inoffensive condition, he shall be liable to a fine of not less than ten nor more than twenty dollars for each offence, recoverable before the police justice of the city of Richmond, each day's failure to comply with any of said requirements to be a separate offence. (August 17, 1908.)

52. That the contractors for the removal of night soil from the city of Richmond are hereby authorized and empowered to construct, at their own proper cost and expense, such hoppers and chutes for the disposal of night soil into Shockoe creek and Gillies' creek, as may be required for the proper carrying out of their contract with the city of Richmond. Said hoppers and chutes shall be constructed in accordance with plans and specifications to be furnished by the city engineer, who is hereby instructed to prepare such plans and specifications, and shall be approved by the chief health officer of the city of Richmond, and said chutes and hoppers shall be constructed in such localities as directed by the city engineer and approved by the city attorney and the chief health officer. (May 17, 1909.)

53. It shall be the duty of the inspector of plumbing, under the direction of the president of the board of health, to sign and issue all notices and certificates; to keep a daily record of his work, including all notices and applications received, violations of these regulations, and all other matters pertaining thereto; make monthly and quarterly reports to the president of the board of health. He shall also report immediately any matter requiring the immediate attention of the president of the board of health to said officer. He shall inspect all houses in course of erection, alteration, or repair, as often as may be necessary, and shall see that all plumbing, drainage and sewerage work is done in accordance with the provisions of these regulations. All plumbing work shall be inspected; first, when the drain, soil, waste, and vent-pipe are run in the building; they shall be left uncovered, and the plumber shall report the same at once to the office of the inspector of plumbing for inspection; and again when the fixtures are placed in position and the work completed. It shall be the duty of the inspector of plumbing, immediately upon written notification by the plumber, to proceed to inspect and pass upon the work; and all inspections shall be made within twenty-four hours after such notification. He shall promptly condemn and order the removal of any defective material, or any work done as to plumbing for drainage or sewerage work. Upon a complete and satisfactory inspection of any work he shall grant a certificate of approval. He shall take and subscribe an oath or affirmation before the mayor or city clerk that he will faithfully perform the duties of his office, and shall, before entering upon his duties, execute a bond to the city of Richmond in the sum of five hundred dollars (\$500), with surety, to be approved by the city attorney, conditioned upon the faithful performance of the duties of his office. (Code 1899.)

54. Every person engaged, or about to engage, in the plumbing business in the city of Richmond, as a master or journeyman plumber, or any persons coming from other places for the purpose of engaging in the plumbing business in the city of Richmond, as a master or journeyman plumber, shall appear in person before the said inspector and receive a certificate of registry, upon satisfactory proof that he is a master or a practical journeyman plumber; and no other person than a registered plumber shall be allowed to carry on or engage in the plumbing business or make any connection with any sewer, drain, soil, or waste-pipe, or any pipe connected therewith. No plumber shall be allowed to make a connection to any drain, soil, waste, or vent-pipe, or any pipe connected therewith, nor shall he make any addition or alteration in the sanitary arrangements in any house without first having received a written permit from the inspector of plumbing to do so; and it shall be the duty of the

inspector of plumbing to keep a permit-book and a record of all permits issued. (Code 1899.)

55. It shall be the duty of every registered plumber to give immediate notice of any change in his place of business for the correction of the register. Upon retirement he shall return his certificate to the then inspector. The plumbing and drainage of all buildings, private and public, and all alterations and additions to drainage systems shall be executed in accordance with plans and specifications previously approved in writing by the inspector of plumbing, and that suitable drawings and descriptions of the said plumbing and drainage shall be submitted by the master plumber and placed on file in the office of the board of health. Blank abstracts of the plans and specifications of plumbing and drainage shall be furnished to the master plumber on application at the office of the board of health. Plans must be drawn legibly in ink, and old work shown in red ink, showing the size and kind of pipes, traps, water closets, fixtures, etc., to be used, and must show the method of ventilating water closet apartments. (June 21, 1909.)

56. The plumbing, drainage and ventilation in every building shall be separate and independent of that of any other lot or building, and shall be separately and independently connected with the public sewer in the street or alley, and in a row of tenements each tenement shall be deemed a separate house. Each flat, apartment house, hotel, factory, church, opera house and stable shall be construed as one building; provided, that where a fire-wall in any building divides the said building then each part so divided, although there be but one entrance, shall have separate and independent plumbing, and provided further, that private stables may be connected with the house drain, that portion of the house drain that is inside the walls and underneath the building and three feet outside the area or foundation walls shall be constructed of what is known as extra-heavy cast-iron soil-pipe, to be used as follows: Standard cast-iron soil-pipe may be used where it is in an exposed position:

2-inch, 5 pounds per foot.

3-inch, 9 pounds per foot.

4-inch, 12 1-2 pounds per foot.

5-inch, 16 7-8 pounds per foot.

6-inch, 19 1-2 pounds per foot.

7-inch, 26 1-2 pounds per foot.

8-inch, 33 pounds per foot.

10-inch, 44 1-2 pounds per foot.

12-inch, 53 1-2 pounds per foot.

Fitting and pipes are not to be coated inside or out, unless by permission of the said inspector; they shall be securely ironed to the walls, laid

in trenches of uniform grade, or suspended to the floor timbers by strong iron hangers to be approved by the inspector. In all cases a brass-clean-out connection shall be placed in main drain near exit from building, also in all branch drains near exit in main drain, each of said clean-outs to be placed in an accessible location, unless in some other location by the consent of said inspector. The size of each of such clean-outs shall not be less than three inches in diameter. (June 21, 1909.)

57. All drain and soil-pipes shall have a uniform fall of not less than one-fourth of one inch per foot, toward the sewer, and when such grade cannot be obtained a special permit may be obtained from the board of health for a less fall per foot. (Code 1899.)

58. House drains, when not running into or underlying a building, may be of glazed vitrified stoneware pipe, laid at a uniform grade of not less than one-quarter of an inch to the foot, the joints to be made with Portland cement mortar composed of one part cement and one part clean, sharp sand; wiped out carefully on the inside and well pointed on the outside; provided, that when terra-cotta pipe is used for drain purposes it shall be carried not less than five feet beyond the wall of any house, cellar, or vault, except by a special written permit from said inspector. (Code 1899.)

59. When any drain-pipe passes through or under the walls of a house a relieving arch shall be turned over it with a clearance of two inches on either side to protect it from breakage by the settling of the wall. (Code 1899.)

60. No privy or cesspool shall be connected with the sewer or house drain. All drains shall be run as straight as practicable. Changes in direction on all horizontal lines shall be made with Y branches and 1-6 or 1-8 bends. Sanitary T's may be used on vertical soil-pipe lines. (June 21, 1909.)

61. Soil-pipes receiving the discharge from one or more water closets, shall be extra heavy soil-pipe, except where a pipe is in an exposed position, in which case, standard cast-iron pipe shall be used (as specified in section 56), and not less than four inches internal diameter, and shall continue of undiminished size, not less than two feet above the highest roof of building, or contiguous property, and above and away from any window, or ventilating shaft of a living room, and shall be left open at the top. (Code 1899.)

62. No waste-pipe shall be less than 1 1-2 inches for one fixture and not to exceed three fixtures, except in case of a single lavatory. Lead waste shall not be less weight than the grade D. In no case shall the waste-pipe from any other fixture connect to the house side or in the seal of a water closet trap. All such connections must be made so that the

seal of the water closet trap will not be disturbed. As waste-pipes to be of lead, cast-iron, brass or galvanized wrought-iron pipe with recess fittings. (June 21, 1909.)

63. No refrigerator or other receptacle in which provisions are stored shall be connected with drain, soil, waste, or vent-pipe, or discharge on the ground beneath the building, but in every case there shall be an open trapped tray beneath the refrigerator or other receptacles, the waste from which must discharge into a sink or other fixture. (Code 1899.)

64. Where two fixtures connect into one vent, such connection shall be made with not less than 1½-inch pipe, and for three fixtures not less than 2-inch pipe, for a water closet not less than 2-inch pipe for forty feet or less; over forty feet 3-inch pipe must be used; provided, that vent-pipes of three or more fixtures, with waste three or four inches in diameter, shall not be less than 3-inch for twenty feet or less; over twenty feet, 4-inch. (Code 1899.)

65. All vent-pipes when not vertical must have a continuous slope to avoid trapping of condensation. Vent-pipes from closets, bath tubs, sinks, urinals and wash trays shall be either lead, brass, cast-iron or galvanized wrought-iron with proper fittings. Every branch or horizontal line of soil-pipe 6 feet or more in length to which a water closet is to be connected shall be ventilated by a return vent-pipe connection of not less than 2 inches in size, taken from the end of the same and extended through the roof, or connected to the main soil-pipe above the highest fixtures. Where a fixture is put in and discharges by means of a waste-pipe into an open drain, a trap, but no vent, will be necessary, but the waste-pipe must not exceed 15 feet in length unless approved by the inspector. (June 21, 1909.)

66. No steam exhaust, blow-off pipe, drip, or overflow pipes from safes under any water closet, wash basin, bath, or other fixture shall be connected with sewer, drain, soil, waste, vent, or rain-water pipe when within any building, but must discharge into an open tank or a condenser, from which a safe connection to the sewer or house drain may be provided. (Code 1899.)

67. No sewer, soil-pipe, waste-pipe, or ventilation-pipe shall be constructed of brick, earthenware or sheet metal except as provided in section 58, nor shall chimney flues be used for such ventilators. (Code 1899.)

68. All joints in cast-iron pipe shall be packed with picked oakum, and run with molten lead well caulked. (Code 1899.)

69. Connections of lead pipe or bends with that of iron on all horizontal lines shall be made with extra heavy brass ferrules or brass soldering nipes of a size not less than the lead pipe, with properly wiped metal joint and corked or screwed to the iron pipe. Combination ferrules may be used

on vertical connection. All lead bends and combination ferrules to be made of 8-pound lead. (June 21, 1909.)

70. Every sink, bath tub, wash basin, urinal and wash tray, and every fixture having a waste-pipe shall be separately and independently trapped with a water sealing trap placed as near the fixture as practicable, and no trap will be allowed to be placed beneath the floor for any fixture, except for bath tubs and other fixtures that may be near the floor level. All bath tubs must have bath traps with clean-outs flushed with the level of the floor, so as to be accessible. Traps shall be protected from syphonage and air pressure by a special vent-pipe carried through the roof or connected to the main soil-pipe above the highest fixture, of a size not less than the waste-pipe up to and including 2 inches; over 2 inches and not exceeding 4 inches and shall extend 2 feet above the fixture it serves before connecting to other vent-pipes. (June 21, 1909.)

71. All traps must be placed above floors, in accessible locations, when practicable, and no trap shall be placed at the foot of a vertical soil or waste-pipe. Traps with vent couplings must not be placed beneath floors, or where they are not accessible. "Newton's" sanitary traps or its equal or any non-syphoning sanitary traps, after being tested to the satisfaction of the board of health, may be used on all work in lieu of back vent-pipes, when connected with a wash basin, sink, bath, urinal, or wash-tray, which is not more than 15 feet from a main or direct vent. (October 15, 1900.)

72. In no case shall a soil-pipe be used as a rain-water leader. All rain-water leaders shall be trapped and shall have a handhole for cleaning out purposes, and, when placed within a building, shall be cast-iron pipe, with leaded joints. (Code 1899.)

73. Safe, waste, drip, or overflow-pipes from tanks or cisterns shall be run to some place in open sight, but in no case shall any such pipes connect with drain, soil, waste, vent, or rain-water leader. (Code 1899.)

74. Every water closet within a dwelling shall be either enameled iron or earthenware syphon jet closets, or washout closets with traps and vents to be supplied from tanks or cisterns, through flush pipes not less than one and one-quarter inches internal diameter. The inspector shall be allowed to grant special permits for the use of flushing rim hoppers, with reservoirs, in basements, cellars, and exposed places, where conditions are favorable. All closets in yards must be frost-proof, and supplied with anti-freezing valves, reservoirs, flushing rim bowls, and flush pipe not less than one and one-quarter inch internal diameter. (October 15, 1900.)

75. Whenever a whirlpool, pan, or plunger water closet shall be removed for repairs or other causes it shall not be replaced except by permission of the inspector of plumbing. (Code 1899.)

76. Water closets must not be located in any sleeping apartment, nor in any room or apartment which has not direct communication with the external air, either by a window or air shaft having an area to the open air of at least four square feet. (Code 1899.)

77. Direct service of a water closet is always objectionable, and in case a water closet is on the second or higher story of a building, it is absolutely prohibited. Wooden wash trays and sinks are absolutely prohibited in any building. They must be of non-absorbent material. (Code 1899.)

78. All material used must be of good quality, and free from any defect; the work must be executed in a thorough and workmanlike manner, and subject to the approval of the president of the board of health and the inspector of plumbing. (Code 1899.)

79. All work must be left uncovered for examination. Pipes must be concentrated as much as possible, and when placed within walls or partitions they must, if practicable, be covered with woodwork, fastened with screws, so as to give ready access for inspection and repairs, or else extra heavy pipe shall be used. (Code 1899.)

80. The whole system of drain, soil, waste and ventilation pipes shall be filled with water or subjected to an air pressure of five pounds to the square inch, and in all cases where only a part of the system has been tested the inspector shall require an additional test of the whole system, and it shall be absolutely tight; and the inspector shall so certify on the face of the permit, and no plumbing shall be used until such certificate is made by the inspector. In all buildings erected prior to January 1, 1896, which may require alterations or additions in drainage, plumbing, or ventilation the owner or agent shall have the drainage, plumbing or ventilation in such alterations or additions done in accordance with the requirements herein set forth. (Code 1899.)

81. Any person violating any of the foregoing provisions of this chapter or any requirements made of him by the inspector under the powers of this chapter shall be liable to a fine of not less than two nor more than one hundred dollars; every day of failure to conform to such provision or requirement, after having been so fined shall be a separate offence. (Code 1899.)

82. That the owners and lessees of buildings in which males and females are employed for manufacturing, commercial or office purposes, and places of public entertainment, provided such entertainment last longer than forty-five minutes, be, and they are hereby, required to provide separate closets for the exclusive use of each sex, which shall be so situated and maintained as to be private and suitable for such purpose, and any person, firm or corporation failing to comply with the foregoing

requirement shall be liable to a fine of not less than five nor more than twenty-five dollars for each offence, recoverable before the police justice of the city of Richmond, each day's continuance of such failure to be a separate offence. (April 19, 1906, and March 19, 1909.)

83. That it shall be the duty of all owners of houses within the watershed of the feeder which supplies water to the new pump house, or on the watershed of any stream tributary thereto—that is to say, within the watershed drained by said feeder, Tuckahoe creek, Upper Westham creek, Lower Westham creek and other streams tributary to the said creeks and other creeks flowing into said feeder, when said houses are not supplied with a domestic water system, to provide such houses with dry closets, or privies, constructed in accordance with the rules and regulations adopted by the board of health of the city of Richmond on August 17, 1908, governing the construction and maintenance of dry closets in the city of Richmond, and it shall be the duty of the tenants or occupants of such houses to maintain said privies in accordance with said rules and regulations. No such privy shall be located within less than two hundred (200) feet of said feeder, nor within less than two hundred (200) feet of any said streams tributary thereto, nor within less than fifty (50) feet of any ravine, gully or ditch which carries, or is likely to carry, water into said feeder or into said streams after heavy rains. It shall be the duty of the tenant or occupant of such houses to have all deposits in said privies removed at least once a month by the contractor for the removal of night soil, if there be such contractor; and if there be no such contractor, then such deposits shall be removed by the tenant or occupant at least once a month and buried not less than two (2) feet under the surface of the ground and at a point not less than one hundred (100) feet from said feeder or from any of said streams tributary thereto. The tenant or occupant of such houses shall keep said privies clean at all times. (July 16, 1909.)

84. It shall be the duty of all owners of houses on said watershed of said feeder or of any said streams tributary thereto, when said houses are provided with a domestic water service, to install and maintain some approved system for the disposal of all sewage from said houses, preferably the system known as the septic tank system, followed by subsoil distribution of the septic tank effluent, and it shall be unlawful for any person, firm or corporation to discharge, or to cause or permit to be discharged into said feeder or into any stream tributary thereto any raw sewage, septic tank effluent, or otherwise partially purified sewage, or any water from any bath tub, laundry tub or kitchen sink; or to discharge, or cause or permit to be discharged, on to the surface of the ground on the said watershed any such raw sewage, septic tank effluent or otherwise

partially purified sewage; but it shall not be unlawful to discharge water from bath tubs, laundry tubs or kitchen sinks on the surface of the ground, provided the point at which such water is discharged is not less than two hundred (200) feet from said feeder or from any stream tributary thereto. (July 16, 1909.)

85. It shall be unlawful for any person to defecate or to deposit, or to cause or permit to be deposited, any human excrement, dead animal, or any other offensive or deleterious substance whatsoever, or any substance likely to become offensive or deleterious, whether solid or liquid, on any portion of the watershed of the feeder or of any stream tributary thereto, except in the manner prescribed in the last two preceding sections of this chapter. (July 16, 1909.)

86. It shall be unlawful for any person to bathe in the feeder at any point between Bosher's dam and the new pump house, or in any stream which flows into said feeder between said points. (July 16, 1909.)

87. It shall be unlawful for any person, firm or corporation to discharge, or to cause or permit to be discharged, into said feeder or into any stream tributary thereto, or on the surface of the ground in such place that it will be washed into said feeder or stream, or be likely to be washed thereinto, the washing of any ore or coal, or other waste product from any mine, or waste liquor from any tannery, or solid or liquid waste from any industry whatsoever, except under such conditions as may be approved by the chief health officer of the city of Richmond. (July 16, 1909.)

88. It shall be the duty of all heads of families residing on the watershed of the feeder or on any stream tributary thereto, and of the manager of all public institutions, mines, camps, etc., immediately to send written notification to the chief health officer of the city of Richmond of the existence of any and all cases of typhoid fever, enteric fever, "continued fever," malarial fever, or "fever" of any kind which may develop in their respective families, institutions, mines, camps, etc., and to furnish with said notification the certificate of the attending physician, if there be one, setting forth the nature of the illness, and upon the receipt of said notification the chief health officer shall at once cause the necessary steps to be taken to protect the inhabitants of the city of Richmond against infection through the water supply. (July 16, 1909.)

89. The enforcement of this ordinance shall be entrusted to the chief health officer of the city of Richmond, under rules and regulations to be adopted by the board of health of the city of Richmond, and the said board is hereby authorized and directed to adopt such further rules and regulations as may be necessary to carry out the powers herein conferred on them, not, however, in violation of the charter and ordinances of the

city of Richmond. And the chief health officer shall report his action to the superintendent of water works. (July 16, 1909.)

90. It shall be the duty of the conductor of every west-bound train leaving the city of Richmond over the James river division of the Chesapeake and Ohio railway to see that the doors of the water closets on said train are locked from the time that said train leaves the Richmond station until after it has passed Boshers's dam; and on every eastbound train from Lorraine until said train has passed the new pump house. (July 16, 1909.)

91. Whenever in this chapter the term "feeder" is used, it shall be understood as designating the canal which takes water from James river at Boshers's dam and conveys the same to the new pump house. (July 16, 1909.)

92. That for the purpose of carrying out the last foregoing nine sections inspections shall be made semi-annually, said inspections to be made under the supervision of the superintendent of water works and reports of same to be filed with said superintendent of water works and the board of health of the city of Richmond. (July 16, 1909.)

93. Any person, firm or corporation violating any of the provisions of the last foregoing ten sections, or any of the rules and regulations of the board of health adopted under authority thereof, shall be liable to a fine of not less than ten nor more than one hundred dollars, recoverable before the police justice of the city of Richmond, and each day's violation shall constitute a separate offence. (July 16, 1909.)

94. It shall be the duty of every physician, accoucher, midwife, undertaker, or superintendent of any cemetery, or other person having charge of the same, practicing medicine or doing business within the city of Richmond, or its police jurisdiction, to register his or her name in a book or books to be provided for such purposes at the office of the board of health of this city within one month after commencing to practice or do such business, giving full name, residence and place of business, and in case of removal from one place to another in this city or its police jurisdiction, to make change in said register accordingly within ten days after such removal. Any person who shall violate the provisions of this section shall, upon conviction thereof by the police justice, be punished by a fine not less than five nor more than twenty dollars for such offence. (Code 1899.)

95. Every physician practicing in the city of Richmond, who shall be in attendance upon a patient affected with small-pox or varioloid, cholera, scarlet or yellow fever, diphtheria, measles, pulmonary or laryngeal tuberculosis or typhoid fever, shall report the name and location of the patient to the board of health, in writing, within twenty-four hours after he is

satisfied of the existence of such disease, and he shall also report the recovery or death of every such patient under his charge; and for his failure to comply with either of these requirements, the physician so offending shall be fined ten dollars for every twenty-four hours he so fails to report concerning such patient. (August 17, 1906.)

96. Whenever a report is made to the office of the health department of the existence of small-pox, varioloid, diphtheria, or scarlet fever upon any premises, it shall be the duty of the chief health officer to have a card placed within or without such premises as he may see fit, in a conspicuous place, stating the name of the disease, and with such words of precaution as may be deemed necessary by the board of health. The board of health are hereby expressly authorized, when in their judgment it is proper to do so, to extend the operation of this and the last preceding section to other diseases than those hereinbefore mentioned, when found upon any premises. (August 17, 1906.)

97. There shall be elected by the council of the city of Richmond, biennially, in the month of July, when other city officers are elected, seven physicians to the poor, to be known as "District Physicians." (August 13, 1910.)

98. The board of health shall lay off the city of Richmond into seven compact and conveniently located districts, each of which shall be assigned to one of the said physicians. Each of said physicians shall have a residence and an office in or readily accessible to the district assigned him, and no one of said physicians shall remove his office or residence during his term of office without the consent of the board of health. It shall be the duty of the said physicians to render, under the supervision and direction of the chief health officer of the city of Richmond, and under the rules and regulations now in force, or that may hereafter be adopted by the board of health, medical services and attention, in accordance with the provisions of this chapter, to the sick poor in their respective districts. (August 13, 1910.)

99. Each of said physicians shall promptly respond to every call made upon him by the poor during the night time or day time, as the case may be, in his district, and shall continue to give proper attention to the person desiring his services until satisfied that such services are no longer needed, or until ordered by the chief health officer to cease attention. Whenever any of the said physicians shall, upon attending a person requesting his services, have reason to believe that such person, or the head of the family to which said person belongs, is able to pay for medical attention, he shall immediately report such facts to the chief health officer and ask advice whether such attention be continued, and the said physician shall obey such advice as may be given by said chief health

officer. Whenever the chief health officer shall be satisfied that such person, or his or her parent, guardian or husband, is able to pay for proper medical attention, it shall be his duty immediately to notify such person that he or she will no longer receive the service of said district physician, and he shall also notify the said physician that he need no longer attend such person. The chief health officer shall report to the board of health at their next regular meeting any action taken by him under this section. (May 15, 1908.)

100. Each of said physicians shall on each Monday morning report to the chief health officer, on blanks furnished by said chief health officer, the name and address of each patient attended by said physician during the preceding week, the time of his first visit to each patient and the number of visits paid, the color, sex and age of each patient, the nature of the disease or injury and the status of each case (cured, improved, unimproved or died) and such additional information as the chief health officer may from time to time require. And, in order to detect and prevent the spread of contagious diseases among the school children of the city, it shall be the duty of each of the said physicians to visit daily, as soon as practicable during school hours in the morning of each school day, such of the public schools of the city as may be assigned him by the board of health, and there inspect and examine such pupil, or pupils, in attendance upon said schools as may be referred to him by the principal or by any teacher of such school, and upon such inspection and examination to determine whether such pupil, or pupils, should remain at school or be sent home on account of illness or on account of being a menace to the health of other pupils, but in no case shall said physician give medical advice or render medical service to such pupil or pupils except in emergency; provided that nothing in this section shall prohibit such physician from vaccinating a pupil, or pupils, upon the request or with the consent of their parents or guardians. It shall be the duty of each of said physicians to report to the chief health officer on each and every school day, on forms to be furnished by said chief health officer, a complete list of all cases recommended by said physician for exclusion from each school on account of contagious disease, giving the names of the pupils, their home address, their sex and age, and the cause of said recommendation for exclusion, together with such additional information as the chief health officer may from time to time require. And it shall further be the duty of said physician to report promptly to the chief health officer any and all conditions in their respective districts which they deem of importance as affecting or likely to affect the public health. (May 15, 1908.)

101. Each of said district physicians shall receive in compensation for their services a salary of nine hundred dollars per annum, payable

monthly, on warrants approved by the board of health to be charged to the account of board of health pay-roll. (May 15, 1908.)

102. Each district physician shall be entitled to call for and to have for consultation and assistance in any case, the services of any one or more of the district physicians of the city; and no charge shall be made for any assistance so rendered. (May 15, 1908.)

103. Each of said district physicians shall be under the supervision and direction of the chief health officer, subject to the rules and regulations of the board of health, and it shall be the duty of said chief health officer to see that each of said physicians renders prompt and proper attention to the sick poor needing his services, and performs faithfully all the duties required by this ordinance, and at each regular meeting of the board of health he shall report as to the manner in which each of said physicians is discharging the duties required of him. (May 15, 1908.)

104. The president of the board of health shall have authority to suspend any of the district physicians for failure to properly perform any duty required of them by this ordinance, or for the violation by them of any of its provisions, and he shall immediately instruct the chief health officer to inform the other members of the board of health of any such suspension. Such suspension shall continue, unless otherwise ordered by the board of health, until said board shall have determined whether the physician so suspended shall be reinstated or whether his removal should be recommended to the city council. During such suspension the said physician shall not receive or be entitled to any compensation or salary, unless the board of health shall determine to reinstate him, and shall also expressly determine to allow him the salary or pay for the time of his suspension. In case the board shall decide to recommend the removal of said physician they shall immediately forward a report of their recommendations, together with the facts in the case, to the city clerk to be by him laid before the council of the city of Richmond for its action. (May 15, 1908.)

105. That under the authority of the act of general assembly of Virginia, approved March 10, 1910, the board of health of the city of Richmond be, and they are hereby, authorized and directed in their discretion, on the recommendation of the state board of charities and corrections, to issue a license to persons proposing to conduct maternity hospitals, or lying-in asylums, and to persons engaged in receiving, boarding, or keeping any children not relatives, under five years of age, without legal commitment, such licenses to continue for a period to be determined and prescribed by the board of health of the city of Richmond, not, however, exceeding five years, but at any time to be revocable at the pleasure of the board of health; provided, however, that such revocation shall be made

whenever required by the state board of charities and corrections. Any person conducting such hospital or lying-in asylum or so engaged in receiving, boarding, or keeping any children not relatives, under five years of age, without legal commitment, without having a license so to do, as herein provided, on and after the first day of August, 1910, shall be liable to a fine of not less than twenty-five nor more than one hundred dollars for each offence, recoverable before the police justice of the city of Richmond. The board of health of the city of Richmond is hereby expressly authorized to make rules and regulations governing the establishment, equipment, maintenance and conduct of such hospitals, asylums and places, which rules and regulations shall be printed and published in the mode prescribed by law for the publication of ordinances imposing penalties on persons violating the same, and any person violating such rules and regulations so prescribed shall be liable to a fine of not less than twenty-five nor more than one hundred dollars for each offence, recoverable before the police justice of the city of Richmond. (June 18, 1910.)

106. There shall be vaccination of all persons residents of this city, who have not been successfully vaccinated within the past five years, whether adults or children, except in such cases as a regular licensed physician may declare useless or unnecessary by his written certificate. Any adult failing or refusing to be vaccinated or to have his or her child or children or ward vaccinated within five days after a representative or officer or appointed physician of the board of health shall appear for the purpose of vaccinating such inmates or occupants of any house, shall be reported to the police justice, who shall impose a fine of five dollars (\$5); and every day's failure thereafter on the part of any such person to comply with this section shall be deemed a separate offence. (Code 1899.)

107. That there shall not be erected or established any hospital for the reception of patients affected with a contagious, cancerous or tuberculous disease, without the consent and approval of the board of health. (May 18, 1904.)

108. The Chesapeake and Ohio railway company shall not hereafter draw off the water from the first level of the canal, which terminates in the basin, without first obtaining written permission to do so from the chief health officer of the city for good cause shown. And for every violation of this section, the company shall pay a fine of three hundred dollars for each day or part of a day that the water shall remain drawn off; provided, that if the company shall think itself aggrieved by the refusal of the chief health officer it may appeal therefrom to the council. (Code 1899.)

109. That a board for the examination of plumbers is hereby created, to be composed of the president of the board of health of the city of Richmond, the inspector of plumbing, and two other residents of the city of Richmond, to be elected by the city council, one of whom shall be a journeyman plumber and the other of whom shall be a master plumber, which two last mentioned members shall be licensed plumbers, the term of office of whom shall be from the date of their qualification to the first day of July, 1904, and thereafter shall be for the term of two years. (December 12, 1902.)

110. As soon as practicable after the election of the two members of the board as provided by the foregoing section, the members of said board shall meet for organization in the office of the inspector of plumbing in the city hall, and organize by the election of one of their members as chairman and the adoption of such rules and regulations as they may deem necessary for their government and as to the examination of persons applying for licenses. The inspector of plumbing shall be ex-officio secretary of the board, and it shall be his duty to keep full, true and correct minutes of the proceedings of the board and a record of all licenses issued in books to be provided by order of the board and paid for out of the treasury of the city, upon the order of the board, and drawn upon the auditor of the city of Richmond out of any funds in the treasury of the city of Richmond not otherwise appropriated, which books and records shall be, during business hours open for free inspection by any of the citizens of the city of Richmond. (December 12, 1902.)

111. The said board shall have power, and it shall be their duty to adopt rules and regulations not inconsistent with the laws of the State of Virginia or the ordinances of the city for the sanitary construction, alteration and inspection of plumbing and sewerage connections and drains placed in connection with any and every building of the city, by which rules the board may prescribe the kind and size of material to be used in such plumbing, and the manner in which work shall be done. (December 12, 1902.)

112. The board shall fix stated times and places of meeting, which shall occur not less than once in every two weeks, and special meetings may be held upon the written call of the chairman of the board. (December 12, 1902.)

113. Every person desiring to do work at the business of plumbing within the limits of the city of Richmond shall, within thirty days after the passage of this ordinance, make written application to the board for examination for a license, which examination shall be made at the next meeting of the board or as soon thereafter as practicable. Said examination shall relate to the practical knowledge of the applicant as to plumb-

ing, house drainage and plumbing, ventilation and sanitation, shall be practical as well as theoretical, and if the applicant shows himself competent and qualified to perform plumbing work, the said board shall cause its chairman and secretary to execute and deliver to the applicant a license authorizing him to do plumbing work when his license fee has been paid, as hereinafter prescribed. (December 12, 1902.)

114. Such license shall continue for one year, subject, however, to revocation by the board for good cause shown upon written charges subscribed and sworn to, setting forth that the holder of such license is incompetent or guilty of wilful breach of the laws or ordinances relating to sanitary plumbing, or the rules and regulations adopted by the board, or for other causes satisfactory to the board, of which charges the holder of such license shall have written notice of the time and place where the board will proceed to hear evidence in regard thereto. All licenses may be renewed by the board at the dates of their expiration. Such renewal licenses shall be granted, without a re-examination, upon a written application of the licensee filed with the board and showing that his purposes and conditions remain unchanged, unless it is made to appear by affidavit before the board that the applicant is no longer competent or entitled to such renewal license, in which event the renewal license shall not be granted until the applicant has undergone the examination hereinbefore required. (December 12, 1902.)

115. The fee for each original license shall be one dollar (\$1.00), all renewals thereof fifty cents (50c.), which shall be paid into the treasury of the city of Richmond before such license shall be effectual, and any person doing any work in plumbing within the limits of the city of Richmond without having first obtained a license, as required by the foregoing last six sections, or any person violating any of the requirements thereof, shall be liable to a fine of not less than ten nor more than twenty-five dollars for each offence. The president of the board of health and the inspector of plumbing shall not be entitled to any compensation for their services as members of the board hereby created, but the other two members of the board shall be entitled to a salary of fifty dollars per annum, payable monthly, out of the treasury of the city, as other salaries are paid. (December 12, 1902.)

116. The board of health shall exercise a general supervision over the small-pox hospital and recommend to the city council such improvements in or about the premises as they may deem advisable. (Code 1899.)

117. The board may employ a person as housekeeper of the hospital, who shall reside therein and keep it and the furniture thereof in good order, and, when necessary, act as nurse; and who shall perform such other duties as the board may require. The board may also, at and for

such times as they may see occasion, employ other nurses and attendants, who shall respectively perform such duties and under such regulations as the board may prescribe. The board may pay the housekeeper, nurses, and attendants for their respective services such compensation as said board may deem reasonable. (Code 1899.)

118. The board may authorize such vehicles and horses to be purchased and kept for the removal of persons to the hospital, and such other things to be obtained for the comfort or cure of persons in the hospital, or for use and consumption therein, as they may deem proper. The compensation mentioned in the preceding section, and the expenses incurred under this section shall be paid by the auditor upon duly audited and certified vouchers of the board of health; provided, what is so paid shall not exceed what may be appropriated by the city council for such compensation and expenses. (Code 1899.)

119. There shall be received into said hospital all persons affected with small-pox sent there by order of the health officers of the city. Negroes shall be in separate apartments from white persons, and females in separate apartments from males. (Code 1899.)

120. The board of health shall be the health officers of the city. They shall have all the powers and perform all the duties devolved upon health officers by the laws of the State. It shall be their special duty to remove to the hospital all persons in the city infected with small-pox, unless such person be sick at his own residence, or cannot be removed without danger of life. (Code 1899.)

121. All expenses incurred for the removal of any person infected with a dangerous disease and for maintaining, nursing, and curing him, or incurred in entering any lot, house, or vessel suspected of having persons or things infected with a dangerous infectious disease therein, and removing them to the hospital, shall be paid to the superintendent of the hospital (who shall account therefor quarterly to the auditor) by such infected person, or by the owner of such lot, house, or vessel, as the case may be; or if such person or owner be a married woman, by her husband; or if an infant, by his parent or guardian. An account of all such expenses not paid to the superintendent shall by him be filed with the auditor, who shall, unless the amount thereof be paid, or the committee on finance otherwise direct, cause the same to be recovered from the person liable therefor, by suit or warrant, as the case may be. (Code 1899.)

122. That the board of health of the city of Richmond be, and they are hereby, authorized to lease for a nominal consideration to the Tuberculosis Camp Society, a corporation, not exceeding twenty-five (25) acres of that tract of land belonging to the city of Richmond, lying in the county of Henrico, and conveyed to the city of Richmond by deed made

on the 30th day of January in the year 1906, between J. P. Cocke, special commissioner, party of the first part, and the city of Richmond of the second part. The exact location, metes and bounds of which are to be agreed upon between the said board and the said society; said lease to be for a term not exceeding five (5) years, with the right to the said society to locate, establish and maintain on the said parcel of land so to be leased a tuberculosis camp or hospital, with the right to erect thereon the necessary buildings and structures and make other improvements which may be needed for the maintenance of the said camp. That the lease hereby authorized to be made shall be revocable at the will of the council of the city of Richmond. (July 16, 1909.)

123. The head of every household in the city of Richmond is hereby required, whenever any case of small-pox or varioloid shall occur upon his or her premises to at once hang out on a staff or pole projecting at least three feet from the front of the dwelling a white flag at least one foot square. In case of a failure to put out said flag, he, she, or they shall be fined not less than five nor more than ten dollars for each day of the omission to do so, to be collected on complaint before the police justice. (Code 1899.)

CHAPTER 26.

CONCERNING QUARANTINE.

1. There shall be established, by and with the concurrence of the county court of Henrico, a quarantine ground for the city of Richmond between a line drawn across James river, from a point at high-water mark on the Henrico side and a point at high-water mark on the Chesterfield side of said river, so as to touch the lower end of Warwick, and a line drawn from the Henrico side, at a point at high-water mark, one mile below Warwick, to a point at high-water mark on the Chesterfield side, which points shall be designated and marked by the superintendent of quarantine. (Code 1899.)

2. Quarantine shall be performed on the said ground by vessels, persons, and merchandise, coming or brought from any port or place whence the city council, by resolution, published in one or more of the newspapers published in the city of Richmond, shall declare it probable that any plague or other infectious disease may be brought during such time, and in such manner as shall be directed by the council, by resolution, published as aforesaid; and until they are discharged from such quarantine no such person or merchandise shall be brought on shore, or go, or be put on board any other vessel, but in such case and in such manner as shall be permitted by the orders of the city council, and the vessels and persons receiving goods out of such vessels, shall be subject to the orders concerning quarantine, and for preventing infection, which shall be made by the city council. (Code 1899.)

3. The chief health officer shall be the superintendent of quarantine. Any person coming into the city of Richmond by land from any place which the board of health, with the approval of the mayor, shall declare to be infected with a dangerous or infectious disease may be compelled by the president or any member of the board of health to perform quarantine at such place or places as the council may from time to time designate, or at such place or places as the board of health may designate, with the approval of the mayor. And such person may be restrained, as provided by law, from travelling until discharged. (Code 1899.)

4. The quarantine herein provided, and all persons, vessels, and goods subject thereto shall, in all things, be governed and regulated by sections 1734 to 1742, inclusive, of Code of Virginia 1887, and any acts amending

the same, and such regulations consistent therewith as the city council may ordain. (Code 1899.)

5. The superintendent of quarantine shall, under the direction and approval of the city council, provide, by contract, sufficient buildings and shelters for the safekeeping of the goods or merchandise which it may be necessary to land from on board of any vessel performing quarantine in obedience to this chapter, as well as for the accommodation of the persons superintending or performing quarantine. (Code 1899.)

6. All vessels subject to quarantine shall, immediately on their arrival, anchor within quarantine anchorage ground, and there remain, with all persons arriving in them, subject to the examinations and regulations imposed by law. (Code 1899.)

7. The mayor, whenever in his judgment the public health shall require it, may order any vessel at the wharves of the city, or in their vicinity, into quarantine or other place of safety; and may require all persons, articles, and things introduced into the city from such vessels to be seized, returned on board, or removed to the quarantine ground. In case the master, owner, or consignee of the vessel cannot be found, or shall neglect or refuse to obey the order of removal, the mayor shall have power to cause such removal at the expense of such master, owner, or consignee; and such vessel or persons shall not return to the city without the written permission of the mayor. Such vessel, when removed to the quarantine ground, shall, in all respects, be subject to the regulations of quarantine. (Code 1899.)

8. It shall be the duty of the superintendent of quarantine to board every vessel subject to quarantine, or to visitation (if, in the opinion of the superintendent, such visits be necessary,) immediately on her arrival; to inquire as to the health of all persons on board, and the condition of the vessel and cargo, by inspection of the bill of health, manifest, log-book, or otherwise; to examine, on oath, as many and such persons on board of vessels suspected of coming from a sickly port, or having had during the voyage sickness on board, as he may judge expedient, and to report the facts and his conclusions to the mayor. Vessels subject to quarantine shall, under the authority and direction of the superintendent, remain at quarantine at least thirty days after their arrival, and at least twenty days after their cargoes shall have been discharged, and shall perform such further quarantine as the superintendent shall prescribe, unless sooner discharged by his written permission. But nothing in this chapter contained shall prevent any vessels arriving at quarantine from again going to sea, or returning to the port of departure before breaking bulk. (Code 1899.)

9. The superintendent shall have power to direct the location, within the quarantine anchorage ground, of any vessels subject to quarantine regulations; to cause any vessel under quarantine, when he shall judge it necessary for the purification of the vessel or her cargo, to discharge the cargo at the quarantine ground, or some other suitable place out of the city; to cause any such vessel, her cargo, bedding, and the clothing of persons on board, to be ventilated, cleansed, and purified in such manner and during such time as he may direct; and if he shall judge it necessary to prevent infection or contagion, to destroy any portion of such cargo, bedding, or clothing which he may deem incapable of purification; to prohibit and prevent all persons arriving in vessels subject to quarantine from leaving quarantine until fifteen days after the sailing of their vessels from their ports of departure, and fifteen days after the last case of pestilential or infectious disease that shall have occurred on board shall have terminated, and ten days after their arrival at quarantine, unless sooner discharged by his written permission; to permit the cargo of any vessel under quarantine, or any portion thereof, when he shall judge the same free from infection, to be conveyed to the city of Richmond, or to such place as may be designated by the mayor, after having reported in writing to the mayor the condition of said cargo and his intention to grant such permission, but such permission shall be inoperative without the written approval of the mayor; to permit the cargo of any vessel under quarantine, or any part thereof, if in his opinion it will not be dangerous to the public health, to be shipped for exportation by sea; but the vessel receiving the same shall not approach nearer than the lower edge of Rocketts bar, without the written permission of the mayor. (Code 1899.)

10. Every vessel performing quarantine shall be designated by colors fixed in a conspicuous part of her main shrouds. (Code 1899.)

11. No lighters shall be employed to load or unload vessels at quarantine, without permission of the superintendent, and subject to such restrictions as he shall impose. (Code 1899.)

12. All passengers under quarantine who shall be unable to maintain themselves shall be provided for by the master of the vessel in which they shall have arrived; and if the master shall omit to provide for them, they shall be maintained on shore at the expense of such vessel; and such vessel shall not be permitted to leave quarantine until such expense shall have been repaid. (Code 1899.)

13. The master of any vessel released from quarantine and arriving at the city of Richmond shall, immediately after such arrival, deliver the permit of the superintendent to the mayor, or to such person as he shall direct; but such vessel shall not approach nearer than the lower edge of Rocketts bar without the written permission of the mayor. (Code 1899.)

14. No person, without the permission of the superintendent, shall enter within the enclosure of the quarantine ground, or go on board of, or have any communication or intercourse or dealing with, any vessel under quarantine. Any person going on board a vessel under quarantine without license from the superintendent may be compelled to remain there in the same manner as he might have been if he had been one of the crew of the vessel. (Code 1899.)

CHAPTER 27.

CONCERNING VARIOUS NUISANCES.

1. If any person shall put or cause to be put into the canal, locks, or dock or any basin of the James River and the Kanawha Company, or upon the margin of James river, within the corporate limits of this city, or the pond of the water-works, the carcass of any animal, filth or nuisance of any kind, he shall be fined not less than five nor more than fifty dollars. And the like fine shall be imposed on the said company, if it shall suffer or permit any boat with offensive stagnant water or other nuisance therein to remain more than twenty-four hours in said canal, locks, dock, or basin; and the captain or owner of such boat may also be fined not less than five nor more than twenty dollars. Every such nuisance, when suffered to remain as aforesaid by the said company shall be removed at the expense of the said company, by an officer of the police, or at the expense of the person so putting or causing it to be put, if he be known, otherwise at the expense of the city. (Code 1899.)

2. If any person shall put or cause to be put into any cellar or house, or upon any other private property not owned or occupied by him, any filth or nuisance of any kind, he shall be fined not less than one nor more than twenty dollars. (Code 1899.)

3. If any person shall employ any person other than those appointed by the city council to remove from any house or lot, or any other place, any filth or other nuisance, and such person shall waste the same in the street or alley, or shall put or cause the same to be put into or upon any land or place mentioned in either of the preceding sections, the person so employing such person and the said person shall each be fined not less than two nor more than twenty dollars. (Code 1899.)

4. If any person shall have or suffer any noxious, unwholesome, or offensive matter, stagnant water, or nuisance of any kind, in any house or cellar, or upon any other private property owned or occupied by him, he shall be fined not less than one nor more than twenty dollars; provided, however, that if any such nuisance be caused or arise from the want of proper and sufficient draining, the occupier of any lot or tenement, if he be not the owner thereof, shall not be fined for such nuisance, if immediately after the existence of the same he give notice thereof to the owner; and unless, after such notice, the owner abate or remove such

nuisance, by proper and sufficient draining or otherwise, within such time as the police justice may prescribe, he shall be fined not less than ten nor more than fifty dollars. (Code 1899.)

5. Upon the complaint of any citizen or information given by any police officer to the police justice, that a privy is so placed as to be offensive, he may, upon summons returned executed against the owner, order such privy to be removed. (Code 1899.)

6. If any person shall erect, have or keep any slaughter-house or distillery in this city, he shall, on proof thereof, be held guilty of a nuisance, and be fined not less than twenty nor more than fifty dollars for each day the said nuisance shall continue. (Code 1899.)

7. If a person shall, within two hundred feet of a dwelling-house, without permission of the owner or occupier thereof, burn any lime-kiln or brick-kiln, he shall pay a fine of not less than one nor more than five dollars for every hour the same may be burning. (Code 1899.)

8. On complaint to the police justice that unslacked lime has been stored on premises within fifty feet of any house in this city, he shall issue a warrant, directed to three freeholders, to examine the said premises. If they deem it dangerous that the lime should be stored on said premises, the owner or occupier shall remove the same within twelve hours after being notified. If he shall fail so to do he shall pay a fine not exceeding ten dollars; and for each hour thereafter that the same continues to be stored he shall pay a fine of not less than two nor more than twenty dollars. (Code 1899.)

9. A stove-pipe passing in or through a floor, partition, roof or side of a house, shall be enclosed the whole of such passage in earthenware or mortar, or tin casing filled with sand; and, if passing through a window, shall be enclosed with tin or sheet iron; it shall extend two feet beyond the roof or side of the house, and, if through the side of the house, it shall be capped with a cross-pipe at least eighteen inches long; and no stove-pipe shall project into a street. If any person put up, construct, or use in any building in this city, any stove-pipe otherwise than according to and in conformity with the foregoing directions and regulations, he shall be fined not less than five nor more than twenty dollars; and each day that the same shall continue shall be a distinct offence, and punishable as such by a fine of twenty dollars. (Code 1899.)

10. If any person shall put fire to a chimney to clean it, except in the day-time, and whilst the roof of the house to which it is attached is well covered with snow, or whilst it is raining, and the roof thoroughly wet thereby; or if the chimney of any house shall take fire from not having been properly cleaned, the occupier of any such house shall be fined not less than two nor more than five dollars. (Code 1899.)

11. If any person shall sell, or expose for sale, in this city, any torpedoes, popcrackers, squibs, or other fireworks of any kind whatever, except in packages containing each at least one hundred, or shall, without permission in writing from the mayor, discharge or set off, in any street or alley of the city, any balloon, rocket, torpedo, popcracker, fireworks, or any combination of gunpowder, or any other combustible or dangerous material; or if any person shall, except under the twenty-second section of this chapter, without necessity, fire or discharge in this city any cannon, gun, pistol, or other firearms of any kind, shall make therein any unusual noise, whereby the inhabitants thereof may be alarmed; or rise or fly a kite in the city; or if any auctioneer shall use any bell or herald to notify the public of any sale, except of real property, every such person herein offending shall pay a fine of not less than one nor more than twenty dollars. (Code 1899.)

12. No person, firm, or incorporated company shall keep in any house in the city any loaded shell or shot or any explosive material of any sort not authorized by ordinance. And any person, firm, or incorporated company violating the provisions of this section shall be fined not less than twenty nor more than one hundred dollars; and each day on which the same is so kept in the city shall be a distinct offence, and punishable as such. (Code 1899.)

13. Any person who shall be guilty of lewd, indecent, or disorderly conduct, or who shall exhibit any indecent representation of any subject or thing, or who shall draw an indecent picture, or write indecent language on any house or enclosure, or post, or other conspicuous object, or who shall keep for sale any obscene picture, book, or pamphlet within this city, shall be fined not less than five nor more than one hundred dollars, and of such fine, one-half shall be paid to the informer. And upon failure to pay such fine, the offender shall be confined in the city jail not less than five nor more than thirty days. (Code 1899.)

14. If any person shall, by swimming, bathing, or in any other way, indecently expose his person, or any part thereof, to the public view, or cause any person so to do within this city, or the river adjacent thereto, he shall be fined not less than one nor more than twenty dollars. (Code 1899.)

15. Upon its being alleged by a citizen or any officer of police, to the police justice, that ground in the city owned by a non-resident thereof, and not occupied by any person residing thereon, is subject to be covered by stagnant water, or that such owner permits or suffers any offensive or unwholesome substance to accumulate or remain thereon, reasonable notice of such allegation shall be given by the said police justice to the said owner or his agent, if any he has; and in case he has no such

agent, by publication for not less than four weeks in a newspaper printed in said city. The said police justice shall communicate to the city council the fact of such allegation and notice, that they may cause such ground to be filled up, raised or drained, or cause such substances to be covered or removed therefrom, and collect the expense of so doing from the owner or owners, occupier or occupiers, or any of them, by distress and sale, in the same manner in which taxes levied upon real estate for the benefit of said city are authorized to be collected. (Code 1899.)

16. In every case arising under the preceding sections of this ordinance, except under the fifteenth section, the police justice, in addition to any fine he may impose, may, in his discretion, order the nuisance complained of to be abated or removed, whether specially so directed or not, and shall prescribe the time within which such order shall be executed; and if any person shall, after notice of such order, fail or refuse to obey the same within the time prescribed (not in any case to exceed ten days), he shall be fined not less than ten nor more than twenty dollars for each day that such nuisance shall thereafter exist or remain; and he may moreover cause such nuisance to be abated at the cost of the person offending. If such cost shall not exceed one hundred dollars, he may issue execution therefor against the goods and chattels of the offender, for the use of the city; and when such expense shall exceed one hundred dollars, an account thereof shall be filed by the police justice with the auditor, who shall proceed forthwith to collect the same by suit for the like use. (Code 1899.)

17. Any person driving on the free bridge over James river at a speed faster than four miles per hour shall pay a fine of ten dollars for each offence, upon conviction before the police justice, one-half to go to the informer; and every violation shall constitute a distinct offence. (Code 1899.)

18. It shall not be lawful for bands of musicians to parade the streets performing on musical instruments between the hours of eleven o'clock in the forenoon and two o'clock in the afternoon of Sunday. Every person violating this section shall be guilty of a misdemeanor, and upon conviction thereof before the police justice, be fined not more than twenty nor less than five dollars. (Code 1899.)

19. No furnace for melting iron or other metals, or making glass, and no stationary steam engine, designed for use in any mill for planing or sawing boards, or turning wood, or for any other purpose, or in which any other fuel than anthracite coal is used to create steam, shall be erected, or put up to be used in this city, unless a permit therefor shall have been first granted by the city council, prescribing the place where the building in which such steam engine or furnace is to be used, is located, or

where the same shall be erected; the materials and construction thereof, with such regulations as to height of stacks or chimneys, as to prevent the use of the same from being offensive to the occupants of adjacent property; and such protection against fire as they may deem necessary for the safety of the neighborhood. Every person erecting, setting up, or using any such furnace or steam engine without the said permit, or in violation of any of the conditions, provisions, restrictions, or regulations thereof, shall be deemed guilty of a misdemeanor, and upon conviction thereof before the police justice, shall be fined not less than five nor more than twenty dollars, and each day's continuance of such misdemeanor shall be a separate offence. (Code 1899.)

20. Upon complaint, verified by affidavit, that any furnace, boiler, steam engine, or any stack, flue or chimney thereof, is dangerous to the life, person, property, or health of those residing or owning property in the neighborhood, or is otherwise a nuisance, the police justice shall issue an order directing examination upon the premises by the board of fire commissioners and the chief engineer thereof into the matter of complaint alleged, a report of which examination shall promptly be made to the police justice; and thereupon the police justice, if satisfied of the necessity of further proceeding, shall issue his warrant summoning the owner or person using such furnace, boiler, engine, stack, flue, or chimney, to appear before him at a day to be named therein, not more than ten days after the date thereof; a copy of which shall also be served upon the chief of the fire department, who shall be present at the hearing before the justice. If, upon said hearing, such engine, boiler, furnace, flue, stack, or chimney be adjudged unsafe, defective, dangerous to life, property, or health, or otherwise a nuisance, the police justice shall direct the same to be discontinued, removed, or rendered free from objection, as the case may require, and shall direct within what time such discontinuance, removal, or remedy shall be effected; and the failure of the party interested to obey said order shall be a misdemeanor, punishable by a fine of not less than five nor more than twenty dollars, and each day's continuance in disobedience of the said order shall be a separate and distinct offence; and upon failure to pay every such penalty the police justice may commit the offender to the city jail for a period not exceeding thirty days. (Code 1899.)

21. It shall be unlawful for any person to expectorate upon, or throw fruit-skins or peelings on the sidewalks, or floors of street-cars, public elevators, or public halls. Any violation of this section shall subject the offender to a fine of not less than two nor more than five dollars. It shall be the duty of the chief of police to have copies of this section posted in conspicuous places in all street-cars, public elevators, and public halls. (Code 1899.)

22. If any person engaged in any military exercise shall fire or discharge, in any street or public alley of this city, any cannon, gun, pistol, or any other firearms, except on the Fourth of July, the twenty-second of February, and the nineteenth day of October, or at a military burial, or some extraordinary occasion allowed by the mayor (and by him notified through the newspapers, or by posting handbills; or otherwise), or if any person shall, in any street or public alley in said city, play at bandy or throw snowballs, stones, or other missiles, or discharge arrows from a bow or crossbow, or blow a horn, he shall be fined not less than one nor more than ten dollars. (Code 1899.)

23. Every person occupying a house or lot shall, as far as such lot extends, cause the paved gutter or drain in a street or any public alley opposite thereto, to be constantly kept open and free from obstruction; and if he fail so to do, may be fined not less than one dollar nor more than ten dollars; and for each day after the first that such obstruction remains shall be fined not less than two nor more than twenty dollars. (Code 1899.)

24. Any person may carry from his lot or put in a street or public alley, on any part of the carriageway nearest to the gutter or drain, ashes, dirt, or rubbish; provided, the same be free from offensive matter and be removed by him from said street or alley within twenty-four hours; or, if one of the committee on streets for the ward in which the said lot is, shall, in writing, allow a longer time for the removal, then within such time as may be so allowed. (Code 1899.)

25. If any filth, rubbish, ashes, dirt, or other things be carried from a lot or other place and put in a street or public alley, or if any nuisance or obstruction be put or caused to be put or remain therein, in any case in which it is not authorized by the ordinances of the city, the person who so puts or causes it to be so put, or is in fault in respect to its remaining, shall, for any such offence, be fined not less than one nor more than ten dollars; and for each day after the first that the same is upon the street or alley shall be fined not less than two nor more than twenty dollars. In construing this chapter, no article taken from or to be shipped on board of, or to be used in or about a vessel in the dock, and deposited in the street not more than thirty feet from the northern margin of the dock, shall be deemed a nuisance or obstruction; provided, the same be removed within twenty-four hours from and after sunrise of the day next succeeding that on which it was deposited. (Code 1899.)

26. Every person occupying a house or lot on a street or public alley upon which, on that half of the street or alley next to and opposite his house or lot, any filth, rubbish, ashes, dirt, stones, or other thing, or any nuisance or obstruction is put or suffered to remain in any case

not authorized by the last two foregoing sections, shall forthwith remove the same, or give information thereof to the engineer of the city, or to one of the officers or sergeants of police. And if twelve hours elapse without such removal or information, he may be fined not exceeding ten dollars; and each day that elapses without such removal or information shall be a distinct offence. (Code 1899.)

27. It shall not be lawful for any person to place, or in any manner use, any wheel-barrow, hand-carriage, hand-cart, or sled upon the sidewalk of any public street, nor to slide or skate thereon, except as hereinafter provided. Not more than fifteen persons shall skate with roller skates on the sidewalk of any one city block at one and the same time, except on the sidewalks adjacent to a public park; provided, however, that the chief of police when satisfied that there is a case of sickness on the front of any block which may be injuriously affected by the noise produced by skating, or when as many as one-half of the residents on the front of any block petition the chief of police in writing to that effect, he may prohibit skating on such front; but no skating after ten o'clock at night shall be allowed on any street. Not more than two persons shall skate abreast, and trailing, or forming a connecting line with one or more skaters following immediately behind another shall be unlawful. Nothing in this section shall be construed to prevent any person from passing with a wheel-barrow, hand-carriage or cart, across the sidewalk of a street from or to a house or lot, nor the use on a sidewalk of a hand-carriage to ride or carry infant children. Any person violating any provision of this section shall, for each offence, be liable to a fine of not less than one nor more than ten dollars, recoverable before the police justice of the city of Richmond. (December 20, 1909.)

28. The tenant, occupant, and, in case there shall be no tenant, the owner or any person having the charge of any building or lot of land bordering on any street, lane, court, square, or public place within the city, where there is any paved footway or sidewalk, shall, after the ceasing to fall of any snow, if in the day-time, within six hours, and if in the night-time, before noon of the following day, cause the same to be removed therefrom; and in default thereof, shall forfeit and pay a sum not less than two dollars nor more than ten dollars; and for each and every hour thereafter that the snow shall remain on such footway or sidewalk, such party so in default shall forfeit and pay not less than one nor more than ten dollars. (Code 1899.)

29. That any person or persons loitering or standing on the street, sidewalk, or curb, shall move on or separate when required so to do by any member of the police force, and cease to occupy such position on the street, sidewalk, or curb, under the penalty of not less than three nor

more than fifty dollars for each offence, and, in addition, in the discretion of the police justice, may be confined in jail not exceeding thirty days. (April 12, 1909.)

30. That it shall be unlawful for the owner or any person in charge thereof to permit any cow, horse, mule, goat or swine to go at large, graze or pasture on any street, alley, park or unenclosed lot, within the corporate limits of the city of Richmond, unless such animal be securely picketed to some stationary object, and no person shall keep, drive, or picket any cow within the limits of the city of Richmond with a bell or bells on. Any person violating this section shall be fined not less than two (\$2.00) nor more than five dollars (\$5.00) for each offence. (September 13, 1902.)

31. No minor shall have, keep or carry in the streets, alleys, lanes or parks of the city any toy pistol, or toy rifle adapted to the use of explosive caps, cartridges or pellets, or which, by means of explosives, pneumatic pressure, or mechanical contrivance, expels or discharges any ball, missile or projectile; nor shall any minor have, keep or carry upon the streets, alleys, lanes or parks of the city any firearms of any kind or description whatever. Any violation of any of the provisions of this section shall subject the offender to a fine of not less than five nor more than ten dollars, to be imposed, upon conviction, by the police justice. (April 10, 1903.)

32. No person shall sell, give, present or lend to any minor, in the city, any toy pistol or toy rifle adapted to the use of explosive caps, cartridges or pellets, or which by means of explosives, pneumatic pressure or mechanical contrivance expels or discharges any ball, missile or projectile, nor any firearms of any description whatever. Any person violating the provisions of this section shall, upon conviction in the police court, be fined not less than ten nor more than twenty dollars. (April 10, 1903.)

33. That it shall be unlawful for any person to write, print, paint, impress or insert any letter, word, sentence or sign upon the roadbed, sidewalk or pavement of any street, alley or other public place of the city of Richmond. Any person violating the provisions of this section shall be liable to a fine of not less than two nor more than ten dollars for each offence, each day's continuance of such letter, word, sentence or sign upon such roadbed, sidewalk or pavement to be a separate offence, in the discretion of the police justice. (September 16, 1905.)

34. That it shall be unlawful for any person to coast on any hand-sled, or other like contrivance, by means of gravitation, down and along any street or alley of the city of Richmond, where the terminus of the line of such coasting approaches, or is likely to approach, within one hundred

yards of the tracks of any street or steam railway; but it shall not be unlawful to coast in the manner above described along any street or alley of the city of Richmond, where the terminus of such line of coasting does not approach within less than one hundred yards of the tracks of any street or steam railway. Any person violating the provisions of this section shall be liable to a fine of not less than two nor more than ten dollars for each offence. (April 11, 1905.)

35. That no person shall allow a bulldog, whether male or female, licensed or unlicensed, owned or controlled by him, to go upon any street, alley, park or other public place of the city of Richmond without being chained and so muzzled as to prevent such dog from inflicting injury upon any person or animal. Any person violating the provisions of this section shall, on conviction thereof, be fined not less than ten nor more than twenty dollars for each offence, the same to be recoverable before the police justice of the city of Richmond. (December 22, 1904.)

36. That it shall be unlawful for any person, firm or corporation, or for the agent of any person, firm or corporation, to throw or place, or cause to be thrown or placed, in any yard, hall, porch, doorway or vestibule of any private residence, boarding or apartment house any sample or sample package of medicine or merchandise of any description whatsoever. Any person violating the provisions of this section shall be liable to a fine of not less than two nor more than ten dollars, recoverable before the police justice of the city of Richmond. (August 4, 1910.)

37. No person, under pretext of exercising his right to be on the public streets, shall loiter near the premises of public free schools or other female schools for the purpose of prying therein, or holding surreptitious communication with any of the inmates thereof; nor shall any one accompany or follow the pupils of said institutions on the public streets, without the permission of the teacher in charge of said pupils, or otherwise interfere with or annoy said pupils. Any person guilty of the offence, or offences, herein mentioned, upon being duly convicted thereof, shall be fined not less than one dollar, nor more than ten dollars, for each offence. It shall be the duty of the city police to see that this section is strictly enforced. (Code 1899.)

38. The city council shall annually set apart a fixed sum, to be known as the fund for the "Abatement of Nuisances," and the city auditor is directed to open an account accordingly on the books in his office which he shall credit with the appropriation so made, and said fund shall be expended in the manner hereinafter provided. (August 13, 1910.)

39. Whenever it shall be reported to or come to the knowledge of the board of health, the chief health officer or the mayor, that a nuisance which affects, or is liable to affect the health of citizens, exists upon any

of the public streets or alleys, or on lands or property owned or controlled by the city, or upon the lands of any person or corporation, and it is alleged that the same was caused by the city, it shall be the duty of the chief health officer immediately to investigate, or have the same investigated, and report to the mayor, in writing, all the facts in relation to said alleged nuisance. If the report of the chief health officer shows that such nuisance exists, or is liable to be created, the mayor shall immediately direct the city engineer to ascertain and report to him the best method of abating such nuisance, and the probable costs thereof, together with the probable amount of damages, if any, to abutting property owners by the work necessary to abate such nuisance. On receiving said report the mayor may, in his discretion, order that the nuisance be abated, and the work shall be done as soon as practicable under the supervision of the city engineer by the city hands and carts, or under a contract to be awarded by the city engineer; provided such contract price shall not exceed the sum first reported by the city engineer as the cost of doing said work, and shall in no case exceed three hundred dollars. Should the costs of abating said nuisance exceed the sum of three hundred dollars, the mayor shall immediately report all the facts in the case to the chairman of the committee on streets, and said committee shall, as soon as practicable, have said work done. All bills for work done under this ordinance, by order of the mayor, shall be certified by the city engineer and paid on the approval of the mayor, out of the fund appropriated for the abatement of nuisances. (August 13, 1910.)

40. That whenever any street shall be wholly, or so materially obstructed, as to prevent, or seriously impede convenient passage along the same, with the engines, trucks or other apparatus of the fire department, notification in writing shall immediately be given by the person, head of department, or of any committee authorizing or directing such obstruction to the chief engineer of the fire department of the city of Richmond of the location of such obstruction and the length of time that the same will remain in the street. Any person or persons violating the provisions of this section shall be liable to a fine of not less than five nor more than one hundred dollars for each offence. (August 13, 1910.)

CHAPTER 28.

CONCERNING POWDER, DANGEROUS LIQUIDS, NITROGLYCERINE, FIRE-
WORKS, ETC.

1. Not more than fifty pounds of powder shall be transported in the city at one time, except by a military company, or in a vehicle constructed as the engineer of the city shall prescribe. (Code 1899.)

2. The master of a vessel or steamer arriving in the port of Richmond with more than fifty pounds of powder on board shall forthwith report the fact to the harbormaster, and take such berth as he shall assign. (Code 1899.)

3. The head man of a boat arriving in the city by the canal or river with more than fifty pounds of powder on board, shall forthwith report the fact to a police officer, and take such berth in the basin or canal as he shall direct. No fire shall be used on board of a boat having such quantity of powder on board. (Code 1899.)

4. When any person delivers more than fifty pounds of powder to a vessel, steamer, or canal-boat he shall notify forthwith the harbormaster of such delivery to a vessel or steamer, and a police officer of such delivery to a canal-boat, and the harbormaster shall assign a proper berth to the vessel or steamer, and the police officer shall do the same to the canal-boat. (Code 1899.)

5. No person shall keep in the city, longer than twenty-four hours, more than fifty pounds of powder. Any quantity in excess of two pounds shall be kept in tin cannisters, and every cannister in excess of one shall be kept in a wooden box covered with sheet iron, and so fixed on rollers as to be easily removed. Any person having fifty pounds of gunpowder in his store, or warehouse, or premises, shall keep it in such a box near the front door of the street floor of such building, and give the chief of the fire department notice thereof. And he shall place a tin sign marked "Gunpowder" in six-inch white letters on a black ground, on the front door of such house. But nothing in this section shall apply to the Richmond Howitzers as to powder kept by said company at their armory; provided, they do not store in said armory, at one time, more than one hundred and twenty-five pounds of powder, which shall be put in one-pound cartridges and kept in a fire-proof safe. But nothing in this section shall apply to prevent the keeping of blank and ball cartridges in

infantry and cavalry armories. For any violation of this or the four preceding sections the party shall be fined not less than five nor more than fifty dollars; each twenty-four hours shall constitute a separate offence. (Code 1899.)

6. Violations of sections one, two, three, four and five, by any person mentioned therein, shall be punishable by a fine of not less than five nor more than fifty dollars. (Code 1899.)

7. The committee on grounds and buildings shall have supervision of the powder kept in or near the city, and may prescribe such regulations for the reception, storage, delivery, and transportation of powder, as the public safety requires. The engineer of the city shall inspect, annually, the vehicles used for the transportation of powder, and report their condition to the said committee, who may require such changes and repairs to be made in the same as they deem necessary. (Code 1899.)

8. It shall be unlawful for any person, persons, or corporation, to store or keep for sale, within the corporate limits of the city of Richmond any gasoline, naptha, benzine, camphene, spirit gas, burning fluid, or spirits of turpentine, except as hereinafter provided. (Code 1899.)

9. The inspector and gauger shall, at his own expense, provide himself with the necessary instruments and apparatus for testing the quality of said articles named in the preceding section; and it shall be his duty to examine and test the quality of all said oils and products, and if, upon such testing and examination, the oils so tested and examined shall meet the requirements of this chapter he shall brand the same with the date of examination, his name, and this device, "Approved"; but if the oil so tested shall not meet the requirements of this chapter, he shall brand the same "Condemned"; and it shall be unlawful for the owner thereof to offer the same for sale within the limits of the city, for illuminating purposes. (Code 1899.)

10. The inspector and gauger may collect from the party so employing him for inspecting and gauging, the fees following, viz.: For every inspection of a lot of ten barrels of oil or less, the sum of twenty cents for each barrel, and for every lot of more than ten barrels, the sum of twenty cents per barrel for the first ten barrels, and five cents per barrel for all in excess of that number. (Code 1899.)

11. Nitroglycerine shall not, nor shall any explosive compound of which it is a component part, be brought into the city, or manufactured or kept within the same. Any person offending against this section shall be fined not less than five hundred dollars for every offence. (Code 1899.)

12. No person or persons shall bring into the city, keep for sale, offer for sale or barter, torpedoes or fire-crackers of an extra size under any

name whatsoever, nor any fireworks in which nitroglycerine forms a constituent part, under a penalty of not less than twenty nor more than one hundred dollars. The chief of police shall have power to determine what size of torpedoes or fire-crackers may be offered for sale under this ordinance. (Code 1899.)

13. No person, without first procuring a license therefor as herein-after provided, shall, within the corporate limits of the city of Richmond, transport, have, store, keep, manufacture, use, keep for sale or sell, or keep for use in any trade, art or manufacture, any explosive compound, adaptation or contrivance containing an explosive compound or mixture, or any carbide that will free an inflammable gas on contact with water, or mixture of any chemical element which will free an inflammable gas on contact with water; provided, however, that the foregoing requirement shall not apply to any person having, keeping, or using kerosene oil in any quantity, nor to any of the above mentioned combustible, explosive or dangerous materials for domestic or manufacturing purposes in quantities not exceeding one gallon at any one time, kept and used in conformity with the rules and regulations concerning combustible, explosive or dangerous materials adopted by the board of fire commissioners of the city of Richmond. (July 9, 1909.)

14. Any person desiring to keep or otherwise have in his possession, as in the foregoing section described, any of the combustible, explosive or dangerous materials therein stated, shall first make application in writing to the chief engineer of the fire department of the city of Richmond, and shall, in such application, fully set forth the particular material or materials, compound or mixture that he desires so to keep, have or use, and the place where it is proposed to keep, have or use the same, the manner of such keeping, having or using which is proposed in relation thereto, the quantity proposed to be so kept, had or used at any one time, together with any other information as may be required by rules and regulations to be adopted by the board of fire commissioners, and if the said application shall be in proper form and applicant shall be in a position to fully comply with the requirements of this ordinance and the rules and regulations adopted by the board of fire commissioners in regard thereto not in conflict with this ordinance, permission for the keeping of such combustibles, explosives or dangerous materials mentioned in said application, shall be granted by said engineer, and he shall thereupon deliver to the said applicant a proper written permit or license authorizing the keeping, having or using, of the material, compound or mixture, or the adaptation or contrivance containing an explosive compound or mixture, or any carbide that will free an inflammable gas on contact with water, or mixture of any chemical element

which will free an inflammable gas on contact with water, as the case may be, in the said application specified, and thereupon the same shall be deemed a compliance with the requirements of this ordinance and authorize the holder of such permit or license to keep, have or use the combustibles, explosives or dangerous materials in such license mentioned, and in the manner and for and during the next twelve months to be therein specified; provided, however, that no license shall be issued for the storage and keeping of calcium carbide except in hermetically sealed iron receptacles and in quantities not exceeding 100 pounds in the aggregate, in the isolated buildings where it will not be an exposure to any adjoining property, provided the building is waterproof, well ventilated and drained, with floors raised above the grade upon which it stands. If the building is used exclusively for the storage of calcium carbide and if it is detached at least thirty feet from other buildings, a written permit may be given by the board of fire commissioners for the storage in quantities in excess of 100 pounds and not exceeding 500 pounds, provided the calcium carbide is stored in not exceeding 100 pound packages in sealed iron receptacles. In such building no artificial light or fire, other than incandescent electric shall be permitted. Not more than 100 pounds of calcium carbide, either in bulk or in cartridges, shall be stored or kept in any building used for a dwelling, mercantile or manufacturing purposes, and this amount shall be kept only on a permit or license to be obtained as hereinbefore provided, which shall provide that all quantities in excess of two pounds shall be in tight metal packages and kept elevated at least six inches from the floor in a fire-proof safe or vault, located above the street grade or in galvanized iron cans, provided with securely fastened covers set on metal legs at least six inches long. No license under this ordinance shall be for a period of more than one year. Any person feeling himself aggrieved by the determination of the chief engineer of the fire department in the matter of granting a license or permit under this section may appeal from his decision to the board of fire commissioners, who may, in their discretion, reverse the decision of the said engineer and direct him to issue a permit to the person appealing, but the decision of the said board in the matter shall be final and conclusive. (July 9, 1909.)

15. But in no case shall any permit or license be issued for the storage or keeping for sale or use of gasoline, benzine or naphtha in bulk, save in air-tight metal tanks with a total capacity not to exceed sixty gallons, such tanks to be located outside of and at such distance from buildings as may be designated by the board of fire commissioners on the recommendation of the chief of the fire department, and no license

shall be issued for the storage or keeping of gasoline, benzine or naphtha in automobile garages in bulk save in underground metal tanks to be drawn from by pumps with no opening for drawing off contents below the level of the ground, such tanks to be provided with outlet pipe extending up as high as the roof of the surrounding buildings, and no such tank or receptacle containing more than 150 gallons shall be permitted within 100 feet of buildings, but tanks containing less than 150 gallons, if properly buried underground, may be located within ten feet of buildings or buried five feet below the surface of the earth beneath the building. (March 16, 1907.)

16. Nothing in this chapter shall be construed to require any person conducting a business as wholesalers of lubricating oils or other products of petroleum to come within the provisions of this chapter, but such person, firm or corporation shall be subject to regulations by the board of fire commissioners, but in no case shall they be permitted to carry the lighter products of petroleum on storage, except in accordance with the rules and regulations to be prescribed by the board. (March 16, 1907.)

17. Any person violating any of the provisions of this chapter, where it is not otherwise provided, shall be liable to a fine of not less than ten nor more than one hundred dollars for each offence, recoverable before the police justice of the city of Richmond, each day's continuance of such violation to constitute a separate offence. (March 16, 1907.)

CHAPTER 29.

CONCERNING THE MARKETS.

(All sections of this chapter except sections 22, 38 and 39, contained in ordinance approved August 4, 1910.)

1. Wherever the word "market" shall be used in this chapter it shall be construed to mean all market buildings and market spaces, together with the grounds, buildings and equipments thereof, connected with or appurtenant to the markets, as well as such portions of the streets of the city as are designated for the use of persons trading from wagons, carts or other vehicles. (August 4, 1910.)

The word "committee" shall be construed to mean "committee on markets of the city council," and the word "clerk" to mean "clerks of the markets." The term "farmer or trucker" as used herein shall be held to include all non-residents of the city of Richmond who are not renters of stalls, stands, or spaces in the markets, but who sell vegetables, fruits and farm products produced or raised by themselves, from wagons, carts or other vehicles. The term "huckster" shall include all persons who are renters of stands or stalls in the markets for the sale of anything, other than meat or fish.

2a. The first market shall comprise all of that piece or parcel of land with the buildings thereon, in the city of Richmond, bounded and described as follows:

Beginning at a point on the northern line of Main street, 38 feet west of the eastern line of Seventeenth street, thence running in a westerly direction along the northern line of Main street, 42 feet; thence back between irregular lines to the southern curb line of Franklin street and fronting thereon 60 feet, more or less.

Also that certain other piece or parcel of land with the buildings thereon bounded and described as follows: Beginning at a point on the northern curb line of Franklin street, 16½ feet east of the west line of Seventeenth street, extended; thence running in an easterly direction and fronting on the northern curb line of Franklin street, 39½ feet, more or less; thence in a northerly direction on a line parallel with the western line of Seventeenth street, 235 feet, more or less; thence at right angles and on a line parallel with the north line of Franklin street, 34 feet, more or less; thence in a southerly direction on a line parallel with

the western line of Seventeenth street, 220 feet, more or less; thence in a westerly direction on a line parallel with the northern line of Franklin street, 51½ feet; thence in a southerly direction on a line parallel with the eastern line of Seventeenth street, 15 feet to the point of beginning.

Also that certain piece or parcel of land and the building thereon lying between the east and west lines of Seventeenth street, and fronting on the southern line of Grace street known as the "Scale House," all of which parcels of land are shown on a plat of the first market, dated March 4, 1910, and on file in the office of the city engineer.

The first market shall also comprise the following streets and alleys of the city so far as used for market purposes as hereinafter provided:

East and west sides of Seventeenth street, from Main to Grace streets; north and south sides of Franklin street, from Sixteenth to Nineteenth streets; east and west sides of Eighteenth street, from Main to Grace streets.

2b. The second market shall comprise all of that piece or parcel of land with the buildings thereon in the city of Richmond, bounded and described as follows:

Beginning at the southeastern intersection of the curb lines of Sixth and Marshall streets, thence running in an easterly direction and fronting on the southern curb line of Marshall street, 66 feet; thence back between the eastern curb line of Sixth street and a line parallel therewith 140 feet to an 18-foot alley.

Also the lot or parcel of land and building thereon near the northeast except as otherwise provided in section four described as follows:

Beginning at the northeast intersection of the curb lines of Sixth and Marshall streets, thence running in an easterly direction and fronting on the northern curb line of Marshall street, 124 feet; thence back between the eastern curb line of Sixth street and a line parallel therewith 165 feet.

Also the lot or parcel of land and building thereon near the northeast corner of the combined market and armory building, which lot fronts 58 feet 10 inches on the alley extending from Marshall to Clay streets, running back between parallel lines 22 feet, all of which parcel of land is shown on a plat of the second market, dated March 4, 1910, on file in the office of the city engineer.

The second market shall also comprise the following streets and alleys of the city, so far as used for market purposes as hereinafter provided:

West side of Sixth street from Broad to Clay streets; north and south sides of Marshall street, from Fourth to Seventh streets; south side of Clay street from Sixth to Seventh streets.

3. The streets and alleys hereinbefore designated as a part of the markets shall be used only by farmers and truckers in selling their own products, but only after all vacant stalls have been filled, and so far as so used shall be under the supervision and control of the clerks of the respective markets, and it shall be unlawful for any person to use such streets and alleys except in conformity with the provisions of this section.

4. The committee on markets of the city council shall control and exercise a general supervision over all markets and market spaces, and all grounds, buildings, benches, stands, stalls and equipment connected with or appertaining to the markets, except that in the case of the combined market and armory building at the corner of Sixth and Marshall streets, the committee on markets shall have only supervision of the part of the building intended to be used for market purposes, and the remainder of said building shall be under the supervision of the committee on grounds and buildings of the city council.

The benches, stands and stalls in the market shall be numbered, and the same shall be used exclusively for and in the manner designated by the committee and for no other purposes, and it shall be unlawful to use the same except in the manner so designated.

5. It shall be the duty of the committee to supervise the expenditure of all moneys appropriated and set apart by the council for the city markets, and all pay-rolls, bills for supplies, repairs, improvements, and other expenditures shall be authorized and approved by said committee.

For the proper administration of the several markets, the committee shall have the power to make rules not in conflict with this chapter, and to punish any infraction thereof by cancelling the lease or privilege of the offender, which shall include the forfeiture of any and all moneys paid to the city at the date of offence, and by debarring such offender from further doing business in the markets.

The committee shall likewise have supervision over the clerks of the markets and all employees therein; they may transfer said clerks from one market to another when deemed desirable, and may suspend them without pay for cause. All other employees of the markets shall be employed by the committee, who shall have the power to suspend without pay or to discharge such employees for cause; provided, that the clerks of the several markets shall have the right to employ and discharge such employees of the markets as may be designated by the committee.

6. There shall be elected by the city council a clerk for each market; who shall, before acting in his office, give bond in the penalty of one thousand dollars. Said clerks shall exercise entire supervision over their respective markets, subject only to the control of the committee.

The committee shall appoint a deputy clerk for each of the several markets who shall have like powers and shall perform the duties of clerk in case of the failure, refusal or inability of the latter to act and shall be paid at the same rate as the clerk, for the time he is actually performing such duties.

7. As soon as practicable after the markets are closed, the clerks shall have their respective markets, together with streets and alleys used for market purposes watered, swept and cleaned. All market premises, including such ground as may be used for or in connection with the markets, shall be kept by the several clerks clean and neat.

8. The clerk of each market shall carefully examine all articles of food offered at such market for sale, and shall promptly notify the chief health officer of the city of any violation of section 27. The clerks of the markets shall be vigilant to detect any and all violations of section 27 of this chapter, and shall promptly notify the chief health officer of the city of any such violation. In case the health department fails or refuses to act promptly upon such information, it shall be the duty of the clerk to seize and destroy any unsound food-products and report the same to the department of health.

9. The clerk of each market shall, from time to time, examine the scales, balances, weights, and measures used by persons at such market and determine whether they are sealed according to law, and conform to the provisions of section 30; he shall examine articles sold or offered for sale by weight or measure to see that they are not deficient. Articles offered for sale by weight or measure and found deficient shall be forfeited to the city, or, if sold, the price paid therefor shall be forfeited to the city by the seller and shall be refunded to the purchaser. In every case in which the clerk of the market shall have good cause to believe that there has been a violation of this section he shall seize the article deficient in weight or measurement and summon the person selling or offering the same for sale, and if sold, the purchaser as well, to appear before the police justice.

10. The clerks of the markets may order any person having within the limits of or at his market, a car, wagon, dray, or other vehicle, or a horse, or beast of burden, to remove the same; and if such person fail to obey the order he may be fined one dollar for every fifteen minutes such failure may continue, and, failing to pay such fine, he shall be imprisoned in the city jail not less than one nor more than five days.

11. It shall be the duty of the clerk of each market to require all persons who offer to sell in the market to produce such licenses as are required of them by the city and State law; and any person offering to sell without having obtained a proper license shall be immediately reported

by the said clerks to the police justice. It shall also be the duty of the clerks to see to the full and faithful compliance with the inspection laws of the State and the health ordinances of the city by every one offering articles for sale.

12. It shall be unlawful for the clerks or other employees of the markets to traffic in or be concerned, either directly or indirectly, in the sale of articles of any kind offered for sale therein or within the limits of the markets, or purchase such articles for any person or persons, other than for his own use, or his family consumption.

13. The clerks of the markets shall be empowered, when they deem it necessary, to inspect the receipts, leases or certificates of the renters of stalls in their respective markets.

14. In November of each year, the committee on markets shall assess all of the stalls, stands and benches in the several markets, which assessment shall constitute the rental price of such stand, stall or bench for the year, beginning January 1st, next, after such assessment, except as otherwise provided in this chapter.

Copies of such assessment shall be filed with the clerks of the several markets and shall be posted by said clerks in a conspicuous place in each market in which such stand, stall or bench is located.

Any person who shall desire to lease any stall, stand or bench in the markets or to renew any such lease, shall annually, before noon of the day preceding the last regular meeting of the committee in December, file with the clerk of the market a written application for such lease, made on a form to be furnished by the clerk. The several clerks of the markets shall submit all such applications to the committee at said meeting, and the committee shall consider such applications and execute leases by its chairman for a period of one year to such as are approved. If there shall be more than one applicant for any stall, stand or bench, the preference for renewal shall be given to the tenant in possession. If neither of the applicants is in possession the committee may direct the clerk to sell the same after advertisement, such sale to be made by public auction for the highest cash premium beyond and in addition to the assessment of the committee.

15. The committee shall prescribe the form of lease to be executed by each renter of any stall, bench or stand in the markets, and no person shall occupy a stall, bench or stand, or sell anything in the market until he obtains a lease from the committee, which lease shall provide that the same may be revoked for sufficient cause by the committee, and which shall stand revoked without action of the committee for any delinquency in rents, or other market charges prescribed by law; provided, however, that

no lease from the committee shall be necessary for non-residents or such persons as sell by the day. No lessee of a stall, bench or stand shall be permitted to sub-let the same without the consent of the committee, but the committee may transfer a lease from one lessee to another person.

16. It shall be the duty of the clerk of each market to furnish to the auditor on or before the tenth day of January of each year a list approved by the committee, and so certified by its chairman, of the leases in their respective markets; which list shall state both the annual and monthly rent, and at the same time, to deliver to the auditor the original leases for stalls, stands and benches in the several markets for the ensuing year, signed by the lessee and the chairman of the committee. And the said clerks shall, on the first week-day of each month thereafter, furnish to the auditor similar lists, showing any changes in the leases that may have taken place during the preceding month, together with signed leases for the same. The clerk of each market shall, on the last week-day of each month, unless such day fall on Saturday or a holiday, in which case he shall, on the next following business day, render to the auditor a statement under oath of all moneys which he may have received during the month, and of all certificates sold, and shall produce all certificates remaining unsold, whereupon the auditor shall examine the same, and if found incorrect shall require the clerk presenting the same to make the proper corrections; but, if found correct, shall endorse the said statement as correct. When the said statement shall be so endorsed the clerk shall immediately turn over the said statement and the amount of money appearing thereon as due to the treasurer of the city, who shall give the clerk a receipt therefor; which receipt shall be turned over by said clerk to the committee at its next regular meeting. If either of the clerks shall fail for ten days to fully perform the requirements of this section, as above set forth, the auditor shall report such failure to the committee at its first meeting afterwards, and shall suspend the payment of his salary until the failure is fully rectified. It shall be the duty of the said clerks to keep regular accounts of their daily receipts, and submit the same to the inspection of the committee on markets whenever required by any member of the committee.

17. The clerk of each market shall make out and present to each term-renter on the first week-day of each month a bill for one month's rent, in advance, of the stall, stand, bench or privilege rented to him. The said bills are to be payable, without demand, to the treasurer of the city on or before the tenth day of each month; and if not paid on or before said tenth day of each month a penalty of ten per cent. is to be added to each bill so unpaid. Not more than one stall, bench, or stand shall be rented to or occupied by the same person at the same time without the consent

of the committee, and a renting shall always be for a year at a time, except as herein otherwise provided.

18. The auditor shall notify the clerk of each market on the first week-day after the tenth day of each month of all bills due at their respective markets and unpaid, and for any and all amounts in excess of one month's rent the clerk of the market in which the delinquency occurs and his sureties shall be liable to the city. Upon receipt of such notice of delinquency from the auditor, the clerk of the market shall immediately notify the tenant, if possible, and post notice for twenty-four hours in a conspicuous place that he will close the stall or stand so reported delinquent; and at the expiration of said twenty-four hours, he shall declare the same vacant and proceed to rent the stall or stand for the remainder of the term of the delinquent tenant to the party bidding the highest premium, and he shall also proceed on behalf of the city, by warrant or otherwise, against the delinquent tenant for the recovery of the amount of the arrearages and such damage as shall have been suffered by the city by reason of such default. If, for any cause, there be failure for ten days to supply any stall, stand, bench or privilege with wholesome meat or vegetables, or other supplies allowed to be sold in the market, the clerk of the market shall declare the stall, stand, bench or privilege, as the case may be, vacant, and shall at once proceed to rent the same for the unexpired term of the offending tenant, and shall also proceed by warrant in the manner hereinbefore directed.

19. No market shall be held on Sunday, or on Christmas day; but on all other days in the week the market shall be held as follows:

On Mondays, Tuesdays, Wednesdays, Thursdays and Fridays, from daylight until 2 o'clock P. M., and on Saturday from daylight to 11 o'clock P. M., provided the committee shall have the right to fix the specific hours for the opening and closing of the markets within the limits herein prescribed.

It shall be unlawful for any person, after the time prescribed for holding any market to offer any article for sale thereat.

20. Whenever the streets and alleys of the city shall be used for market purposes, as provided in section 2, every person occupying the same shall vacate the place or space so occupied at or before 1 o'clock P. M. of each week-day except Saturday, and such place or space shall not be reoccupied by such person or any other person before 4 o'clock P. M. of that day, and on Saturdays such spaces shall be vacated by 11 P. M., and not again occupied earlier than sunset of the following day (Sunday).

21. All persons not regularly occupying a stand or stall in the markets who shall sell or offer for sale at any market any fish, fowls, butter, eggs, or other thing, or shall rent for one day any stand, stall, bench or privilege

or shall occupy any portion of the streets as provided in section 2 of this chapter, shall pay to the clerk of that market the sum of ten cents as a sanitary tax and shall receive a receipt therefor, which shall entitle the purchaser to sell for that day and date only, and shall not be transferable; and which said certificate shall be punched in the presence of the purchaser.

22. No person shall, within the limits or precincts of any market of the city of Richmond sell, or attempt to sell, any animal, article, or product from his cart, wagon, or other vehicle, unless by wholesale, until he shall have applied to and had designated by the clerk of the respective market the place in which his animal, article, or product shall be sold. No person, after removing any animal, article or product from his wagon, cart or vehicle, shall within said limits or precincts sell, or offer for sale, such animal, article, or product from any bench, street, alley, or sidewalk within said precincts without having first paid to the clerk of the respective market the sum of ten cents to pay for having the place or space occupied by him properly swept and cleaned up. (August 13, 1910.)

23. It shall be the duty of the clerk of each market to obtain on the last week day of each month from the auditor, who shall deliver them, a sufficient number of the certificates mentioned in section 21, to last for one month. The said certificates shall express upon their face that they entitle the holder to the privilege of selling in the first or second market, respectively, for the day upon which they are purchased, and shall have in figures thereon numbers from one to thirty-one and the months of the year.

It shall be the duty of the said clerks to cancel all certificates before delivery to any purchaser by punching the same through the figure corresponding to the day of the month in which it is sold.

24. No butcher shall place any of the blocks, benches or other fixtures of his stall on the walkway outside of his stall; nor shall any person place any stand, box, bench or anything else within a passageway, nor hang out meat, or anything else upon the walkways; nor shall any person occupy a stand along the line of the curb-stone extending outwardly more than four feet; nor shall any person occupying any stand, place any box, barrel, bench or other fixture further out on the sidewalk than eighteen inches; nor shall any person place anything in the openings between the curb stands, nor between the butcher's stalls, except that the butchers in the first market, between the arch and Main street may place one bench or block to each stall in the walkway outside of said stall.

25. No person shall erect or have at a market-house any box in which to lock up meats or other articles unless such box be elevated on legs at least six inches above the floor or pavement of the market-house, and be

constructed according to a plan approved by the committee. And every person having at a market-house, a box, shall have it thoroughly cleansed at least once a week. If at any time any article therein become offensive, it shall, upon the order of the clerk, be immediately removed from the market-house.

All boxes erected as herein provided shall be tight and free from leaks. Any waste therefrom shall be caught in suitable receptacles, and if any box be found leaking, or if the waste therefrom be not properly disposed of, the clerk may order its removal from the market, which order shall be immediately obeyed by the owner thereof.

26. No person shall keep within the limits or precincts of the markets, as defined in section 2, any live animal, except fowls for sale therein, for a longer time than one hour. Nor shall he leave in the market or any adjacent street, alley or ground any offal, filth, offensive matter, dirt, or rubbish; nor shall any person pick or clean birds, fowls, or fish, or game, within the markets.

27. No person shall sell or offer for sale at a market any unsound meat, fish, flesh, fowls, eggs, or other article, or any meat which is distempered or blown, raised or stuffed, or which is dressed or garnished falsely or in any way calculated to deceive.

28. It shall be unlawful for any person to use any weights or measures within the market precincts which shall not be standard weights or measures, approved by the inspector of weights and measures of the city of Richmond, and all scales, balances and weights shall be kept in a conspicuous place.

29. It shall be unlawful for any renter or other person wilfully or maliciously to break any gas or water fixtures or otherwise injure the property of the city used in connection with the markets, or to waste any gas or water furnished in connection with the markets, and all lessees of stalls, stands, and benches, shall replace and repair to the satisfaction of the committee any gas fixtures so broken or stolen from his stall, stand or bench.

30. Every occupant of a stall shall keep and maintain a sign, with his name thereon, painted in letters that can be easily read. He shall be in person neat and cleanly, shall keep clean the benches and all parts of his stall and the pavement thereof, and shall whitewash or paint the same when required by the committee.

No occupant of a stall, stand or bench, in any market, shall leave about the market-house after market hours, any loose barrel, box, bench or plank.

31. Any person occupying any stall, bench or stand without the written lease provided for by section 14, or any person occupying any space in the

markets without the permission of the clerk and the payment of the fee provided for in section 21, shall be reported to the police justice, who shall impose a fine of not less than five nor more than twenty dollars for each day that he shall so violate this section; after having been notified and failing to pay said fine shall be imprisoned in the city jail not less than five nor more than twenty days.

32. It shall be unlawful for any person at a market, or within its limits or precincts, to use obscene, profane, or threatening language, or disturb the peace; or lie, sit or stand upon any bench or stall; or in any way deface or cause the same to be defaced, abused, or misused; or to place, or cause to be placed, any nuisance thereon.

33. No farmer or trucker shall be allowed to unload his products in or on one market space and to stand or store his vehicle in another space without the payment of the sanitary tax imposed by section 21 for each of the spaces occupied.

34. No stand, stall or bench shall be altered or erected within the markets without the permission of the committee, and any person desiring to alter or erect any stand, stall or bench shall submit a plan showing such change to the clerk of his market for the approval of the committee.

35. The clerks of the markets shall report to the police justice all offenders against the provisions of this chapter or other ordinances concerning the markets, and to enable them the better to execute the duties of their office and to preserve order about the markets, they shall have the powers of a police officer, while engaged in the discharge of such duties.

36. For a violation of any of the foregoing provisions, requirements, prohibitions or restrictions, to which no specific penalty is attached, the person so violating shall be liable to a fine of not less than two nor more than twenty-five dollars for each offence, recoverable before the police justice of the city of Richmond, and for a failure by any person to pay such fine the police justice may, in his discretion, order such person to be imprisoned for a term not exceeding thirty days.

37. In each of the markets there shall be erected and maintained a bulletin-board covered with glass and provided with a lock and key to be kept by the clerk.

The clerk shall post thereon for ten days all rules promulgated by the committee, and all ordinances amendatory of this chapter and when so posted, all persons affected thereby shall be conclusively presumed to have notice thereof.

Whenever the clerk is required by this chapter to give notice to a tenant of a stall, stand or bench, such notice may be given by posting the same on said bulletin-board for not less than twenty-four hours, and when

so posted all persons affected thereby shall be conclusively presumed to have notice thereof and no other notice shall be required.

38. That the committee on markets be, and they are hereby, required to provide suitable receptacles to hold trash and other debris and have the same suitably located in the market-house of the city and at convenient places within the market precincts outside of the market-houses for the deposit of trash and debris, and it shall be the duty of all renters of stalls within the market-houses and all persons occupying places within the precincts of the market for the purpose of selling vegetables or other country produce, to place and deposit in such receptacles, all trash and other debris created by them. But this section shall not apply to persons subject to the regular sanitary fee. Any person violating the provisions of this section shall be liable to a fine of not less than two dollars nor more than ten dollars for each offence, the same to be recoverable before the police justice of the city of Richmond. (December 22, 1904.)

39. That it shall be unlawful for any person to loiter in or about the market-houses or precincts of any market of the city of Richmond, and any person who shall so loiter about such houses or places or refuse to depart therefrom, or cease so to loiter when ordered by the clerk of the market, or any police officer of the city of Richmond, shall be liable to a fine of not less than two dollars nor more than ten dollars for each offence, the same to be recoverable before the police justice of the city of Richmond. (December 22, 1904.)

CHAPTER 30.

CONCERNING THE GAS WORKS.

1. There shall be elected by the city council a superintendent of the gas works, who shall continue in office for two years, and until his successor is appointed and qualifies, unless sooner removed. And the committee on light shall appoint an inspector of gas, a clerk to the inspector of gas, a bill clerk, and eight deputy inspectors, whose terms of office, unless sooner removed from cause or otherwise, shall be concurrent with the term of the superintendent, and immediately report to the council the names of the persons so appointed. (April 16, 1910.)

2. The committee shall meet at least twice a month and at such other times as they may see fit. They shall have the superintendence and general government of the gas works and appurtenances. And the superintendent of the gas works and the inspector of gas shall, so far as may be consistent with the duties prescribed by this chapter, act according to the directions of the said committee. (April 16, 1910.)

3. Each of the officers before mentioned, to-wit: the superintendent and inspector, shall, before acting in his office, give bond, with sureties, in the following penalty, to-wit: the superintendent in five thousand dollars and the inspector in two thousand dollars. There shall also be signed by each of them, at the time of his receiving his official books and papers, a writing specifying, so far as can be conveniently done, what are received by him; and the said writing shall be recorded among the committee's proceedings. When an officer's term of office expires, his official books and papers shall be delivered by him to his successor, or in such other manner as the committee may direct. (Code 1899.)

4. Each of said officers shall use for an office such room as the city council may prescribe. The whole time of each shall be devoted to the performance of his official duties. Each of them shall attend in his office certain hours every day, except Sunday, the fourth day of July, and Christmas day, unless such attendance be prevented by sickness, or by absence from the city with leave of the committee; and each of them shall, on any of the said excepted days, or at night, perform any service for which there is a necessity, without its being extra service. (Code 1899.)

5. The hours for the superintendent so to attend at his office as required by the preceding section, shall be from 9 to 11 o'clock A. M., unless

his presence be then necessary at some other portion of the works. The office of the inspector must be opened, except on Sundays and legal holidays, for the transaction of business, at 8 o'clock A. M., and shall not be closed unless otherwise ordered by the committee, until 5 o'clock P. M., except on Saturdays, when it shall close at 1 o'clock P. M. (April 16, 1910.)

6. The superintendent, subject to the control of the committee, shall have a general charge of all the buildings, fixtures and pipes erected or laid down for the gas works, and of the lands on which the said buildings are erected. He shall have the works kept in proper operation, and the gas furnished as pure as practicable, with promptness and regularity, at the city lamps and buildings, and to all persons entitled to its use under the provisions hereinafter contained. (Code 1899.)

7. Under the direction of the committee, the superintendent shall have street mains laid down, lamp-posts erected, and the public lamps set and kept clean and in good order. He shall preserve a map of the location of the main pipes, showing the course, distance, and size of each of them. When there is any extension of the main pipes, the place of such extension and size of the pipe used in making it shall, as soon as possible, be marked by him on the map. He shall enter in a book, to be kept in his office, the quantity, description, and cost of the materials used in making such extension, or in erecting any fixtures authorized by the committee and report the same to the committee at its next regular meeting after such extension is made. (Code 1899.)

8. The superintendent, subject to the committee's control, may employ such men as he may deem suitable to perform the necessary work under his supervision, over which, and the subordinate officers in the department, he shall exercise a controlling influence. (Code 1899.)

9. He shall submit to the committee for their approval at such times as necessary, statements showing what materials and supplies are needed in and about the works, mains, services and plant for the maintenance and extension of same. He shall have an account kept of the names of the men employed, their kind of work, and the days of the week or month they work. This account shall be so made out as to show what is chargeable to current expenses, and what to construction in its several branches, and other accounts. Semi-monthly, he shall enter the substance thereof on roll-books, showing opposite each person's name his rate per day and the sum payable to him for that period. The aggregate of what is payable to the men for each period of a month shall be paid out of the city treasury on the draft of the chairman of the committee in favor of the superintendent, who shall, within three days thereafter, go to his office at the gas works, between the hours of 12 M. and 6 P. M., and pay to each

of the men his part thereof. To each pay-roll the superintendent shall subjoin a synopsis, showing the amount chargeable to each branch of construction or current expenses and other accounts. The said pay-roll and synopsis shall be laid before and approved by the committee before the amount of the same can be drawn out of the treasury. All parties receiving any sum for salaries or wages shall sign the pay-roll to acknowledge the receipt of the amount due them. (April 16, 1910.)

10. Subject to such restrictions as may be imposed by the committee, the superintendent may purchase materials, tools and other articles proper for carrying on the operations of the works. What may be so purchased shall be taken care of by him and used as required. All bills for the same shall be laid before the committee by the superintendent at the next regular meeting after they shall have been presented. And what the committee may allow for such purchases, or for any necessary current expenses of the works, shall be paid out of the city treasury by the draft of the chairman of the committee, attested by the superintendent. Such draft, and every order under the preceding section, shall always state whether it is for construction or current expenses; if the amount be partly for one and partly for the other, the portion of each shall be stated. (Code 1899.)

11. In books kept for the purpose the superintendent shall at 6 A. M. and 6 P. M. of each day have entered the state of the station meters, the quantity of coal, gas and oil gas made, and the height of gasometers. Said books shall show in separate columns gas made per day, gas made per night, gas made each twenty-four hours, gas used each twenty-four hours, coal, coke and oil used, and the number of retorts and generators in use, and whatever else the superintendent may deem proper to secure a faithful record of the operation of the works; and a summary of the same shall be submitted monthly to the committee. (April 16, 1910.)

12. Annually, as soon as practicable after the last day of December, the superintendent shall report to the committee an inventory of materials, tools and other articles on hand at that date, stating the quantity, description and cost thereof; showing also how much coal, coke, oil or other materials were used during the year just ended, and how much gas was made during the year, and what was the largest quantity of gas made, and the largest quantity of gas used in any one twenty-four hours; showing further, the length and size of the street mains laid during the year, and the length and size of the same laid since the commencement of the works; and showing likewise the number of public lamps, number of private consumers, a list of officers and number of hands, with their duties and pay during the said year, and any other matters which the committee may direct. (April 16, 1910.)

13. The clerk in the auditor's office shall attend all meetings of the committee and act as clerk, and make and keep a true record of its proceedings unless the committee shall see fit to employ some other person to perform such duties. (Code 1899.)

14. A book shall be kept in the inspector's office with a caption importing that the owners of the property, whose names are undersigned, request that the gas be introduced into the premises mentioned, opposite their respective names, upon the terms prescribed by the ordinances of the city. When the owner of any property within the range of the pipes applies for the introduction of gas into his premises, he shall write his name in said book under said caption, and write opposite thereto the date and number of his application, the number of burners that he will probably require, and the location of his premises. (April 16, 1910.)

15. As soon as practicable after such application, there shall be furnished by the inspector to the superintendent a copy thereof, and there shall also be furnished to the inspector by the applicant, a plan of the tubing and fittings, with the size and length of each piece of tubing, and the position of each burner marked plainly thereon. Such plan shall be furnished, and the tubings and fittings for conveying gas within the applicant's premises, after it has passed the meter, may be put up, by some licensed gas fitter or plumber employed by the applicant. But the tubing and screw used in putting up must be such as the department allows, and must be consistent with the provisions of section sixteen. (April 16, 1910.)

16. The relative size and lengths of tubing, and proportions of meters introduced for consumers, shall be according to the following table:

Size of Tubing.	Greatest Length Allowed.	Greatest Number of Burners.	Size of Meters.	Greatest Number of Burners.
3-8 inch.*	15 feet.	2 burners.	3 lights.	5 burners.
1-2 "	25 "	5 "	5 "	10 "
3-4 "	50 "	15 "	10 "	20 "
1 "	75 "	30 "	20 "	40 "
1 1/4 "	100 "	60 "	30 "	60 "
1 1/2 "	150 "	100 "	45 "	100 "
2 "	200 "	200 "	60 "	150 "
			100 "	200 "

*Vertical only.

(June 18, 1906.)

17. All tubings, fittings and fixtures must, after they are put up, be examined and approved by the inspector before gas is supplied. He shall make such examination as soon as practicable after he is notified for the purpose, and always within three days after such notification. On such examination he must compare the work done with the plan, and must, before the gas is supplied, see that the work does in all respects correspond with the plan already furnished, or see that there is furnished another plan corresponding with the work, and must subject the whole of the tubing and fittings, to trial with an air-pump, under a pressure of a column of mercury ten inches high, and see that they are tight under this pressure and put up in a workmanlike manner, as well as in their proper places. When in respect to the work done the inspector has ascertained all that is here required, he shall introduce gas into the premises, unless the superintendent order otherwise, and report his action to the committee at its next regular meeting. (April 16, 1910.)

18. The plans shall be legibly marked with the name of the applicant, the location of his premises, and shall be dated and filed in the office of the inspector of gas, who may allow them to be copied in his presence; but they shall not be removed from his office unless by the committee's orders, or unless it shall be necessary for their safety. (April 16, 1910.)

19. The superintendent shall have laid down street mains and pipes, erect lamp-posts, and have the public lamps set and kept clean and in good order. The inspector shall have made and put on all meter connections, place proper meters on the premises of the respective consumers, shall, at the expense of the city, lay all service pipes to point of connection with pipes inside of house, and perform properly all duties pertaining to these portions of the business. Especially shall he endeavor to render the meters easy of access, to avoid any injury or inconvenience to the building or its occupants, and to avoid exposing the meters to extremes of heat and cold. For digging the trenches and doing other work requiring no mechanical skill, there may be employed such laborers as the superintendent may think necessary, always subject, however, to the direction and control of the committee. (April 16, 1910.)

20. When the tenant of premises using gas is about to remove, he shall give the inspector at least three days' notice thereof, that the gas may be stopped, or he will be chargeable for any gas that may pass through the meter before the gas is stopped off. Any person leaving a house without paying for the gas consumed by him therein up to that time, shall not have the use of gas in the house to which he may remove until the amount so due from him shall have been paid. A consumer, discovering any defect in the meter or service-pipe, or any escape of gas or deficiency of

light on his premises shall give immediate notice thereof at the inspector's office, that the defect may be remedied; and it shall be remedied by the inspector as soon as possible after receiving such notice. Should the tenant omit to give at least three days' notice of his intention to remove, or to report immediately to the inspector any defection in a meter or service-pipe, any escape of gas or deficiency of light on his premises, he shall be fined not less than five nor more than ten dollars. (Code. 1899.)

21. The inspector shall keep a register, showing the date of proving, date of lighting, number of the meter, state of the meter at lighting, number of lights, number of burners, and number of additional burners introduced afterwards. He shall also keep a book, called the meter-book, showing the name and location of each consumer, the number of the application, and number of the meter. He shall take the register of all meters once a month, and he shall inspect every meter once a month, and oftener, if necessary, to ascertain whether the meter is in good working condition. If it be not, and the defect can be remedied without removing it, he shall remedy it before leaving the premises; if this cannot be done, he shall report the defect to the superintendent, who shall have the meter repaired, or a good one put in its place. (April 16, 1910.)

22. For the purpose of convenient inspection of meters and collection of bills for gas consumed, the city is hereby divided into four districts, as follows: That portion of the city eastward of the center line of Fourteenth street continued to the corporation line shall constitute the First District; that portion between the said center line of Fourteenth street and the west side of First street, continued to the corporation line, shall constitute the Second District; that portion between First street and the west side of Harrison street, continued to the corporation line, shall constitute the Third District; and that portion westward from Harrison street, continued to the corporation line, shall constitute the Fourth District. Before the first day of each month the inspector shall enter in the meter-book the state of the meters in the First District; before the eighth day of each month he shall in like manner enter the state of the meters in the Second District; before the fifteenth day of each month the state of the meters in the Third District; and before the twenty-third day of each month the state of the meters in the Fourth District. The meter-books shall show the quantity of gas consumed by each person, for which payment is to be made, to be ascertained from the state of the register. For the respective sums payable by the several persons so entered or appearing by the meter-book to be chargeable, the inspector shall promptly make out bills showing the name and location of each consumer, the state of the meter at its last reading, its state at the previous settlement, and the amount chargeable to said consumer. He shall list these bills in a book

to be known as the "gas-bill listing book," noting the date of their delivery, and in a column of this book prepared for the purpose, the auditor shall enter the date of payment of each bill as soon as possible after it is reported to him by the treasurer. The inspector shall deliver said book to the auditor whenever he may need it for the purpose of making these entries. The inspector shall have the bills presented to the persons who are to pay them (or at their place of business or residence). When from sickness or any other cause the inspector may be unable to perform the duties required of him he shall report the same to the superintendent, who shall furnish the necessary aid. (May 17, 1909.)

23. Gas shall never be furnished without the proper charge therefor. The supply of gas to all consumers shall be upon the condition of the payment therefor at the rate of ninety cents for every one thousand cubic feet, to be ascertained as prescribed in the preceding section. The minimum amount to be charged for consumption of gas, though not actually consumed, or the rate per annum charged for the use of gas meters, shall be as follows:

3-light meter, rate per annum.....	\$ 2.25
5-light meter, rate per annum.....	2.70
10-light meter, rate per annum.....	3.60
20-light meter, rate per annum.....	4.50
30-light meter, rate per annum.....	5.40
45-light meter, rate per annum.....	7.20
60-light meter, rate per annum.....	9.00
100-light meter, rate per annum.....	13.50
200-light meter, rate per annum.....	27.00
500-light meter, rate per annum.....	61.20

Annually (and oftener, whenever the committee or inspector may deem such precaution necessary) the inspector shall enter upon his meter ledgers the difference between the amount of gas registered and the amount required to be registered by each meter, and render bills for the same, said bills to be subject to the same penalties as other gas bills. The committee or inspector, whenever he or they may deem such precaution proper to secure the city against loss, may require the deposit of a sum in advance, or other security, to secure payment of what will become due for gas; payment for gas shall be made monthly by all customers except those who, by the committee or inspector, may be required to pay oftener. The several departments of the city government shall pay for all gas consumed in their respective departments out of their annual appropriations to the credit of said department, and these accounts shall be carried on the books of the auditor as all other accounts are now kept; provided, that they shall not be subject to the penalties imposed in section twenty-four

until after their respective committees or boards have had an opportunity to approve the bills presented by the inspector; provided, further, that the amounts paid for gas each month into the treasury by the market stall renters shall be deducted from the bills rendered their respective markets, said amounts to be furnished the inspectors by the auditor. (April 16, 1910.)

24. The amounts of bills for gas of a consumer shall be paid without addition, provided such payment be made to the treasurer at his office within five days next after its presentation, and before three o'clock P. M.; otherwise five per cent. shall be paid in addition to the amount of the bill. If a bill for gas, or anything else which is furnished by the city in connection with the supply of gas, shall remain unpaid for ten days next after that on which it is presented the inspector shall cause the gas to be stopped from the premises in respect to which the default exists, and not allow it to be used on the premises again until such bill shall have been paid, with five per cent. added, as aforesaid, or ten per cent., as provided in section twenty-seven; provided, that the United States government shall not be liable to have the above penalty imposed, and shall have such time for the payment of bills for gas furnished by the city as the regulations of the department at Washington require; provided that a like exemption shall apply to the Commonwealth of Virginia, and such time be given the State authorities for the payments of bills for gas furnished by the city as may be required by the regulations of the auditor's department; and, provided further, that whenever the auditor shall be satisfied that a gas bill has not been properly delivered or any error has been made in the reading of the meter, or in making out the gas bill he shall redate the bill and relieve the consumer from the penalty prescribed by this section. (Code 1899.)

25. The superintendent shall make such sales of coke and other articles as the committee may authorize, and shall proceed as required by ordinance approved April 17, 1897, except as to the sale of coke, which shall be made as provided in section twenty-six. (Code 1899.)

26. It shall be the duty of the auditor to provide suitable tickets, representing loads or bushels of coke, which he shall from time to time charge and deliver to the superintendent of the gas works. Whenever application for the purchase of coke is made the superintendent shall receive the price of the coke sold and cancel and deliver to the purchaser tickets sufficient to represent his purchase; and such tickets presented at the gas works shall entitle the holder to receive the amount of coke they represent. It shall be the duty of the superintendent to settle with the auditor on this account on the first week day of each month, by producing

his tickets unsold and the cash for those sold, and the auditor shall require the settlement so to be made. (Code 1899.)

27. If any bill remain unpaid for fifteen days after its presentment the inspector shall make out another bill for the amount due, with the addition of ten per centum thereon, properly list it in a book kept in his office for the purpose, and shall deliver the same to the auditor, who shall place the bill in the hands of the collector of delinquent taxes, taking his receipt therefor, who shall collect the same as if it were due for city taxes, and shall settle with the treasurer within one week after the bill is collected, and shall receive five per cent. of the amount of the bill for his compensation; and the official bond of said collector shall extend to secure the faithful collection and payment of the said money. It shall be the duty of the auditor to demand from the collector of delinquent taxes weekly settlements of such bills as are placed in his hands, and for failure to make such settlements, the collector of delinquent taxes shall forfeit the percentage which is herein allowed. The auditor shall promptly report to the inspector of gas the payment or withdrawal of gas bills placed in the hands of the collector of delinquent taxes for collection, and the inspector shall enter in a book kept for the purpose all delinquent gas receipts exhibited in his office for the purpose of securing the use of gas, and if any delinquent gas bill so exhibited fail to be reported by the auditor as being paid or withdrawn, he shall report the omission to the auditor, who shall make or have made the proper correction. (November 14, 1902.)

28. The income derived from the gas works shall be sufficient, after paying all expenditures therefor, to pay the interest on the cost of the works. The cost of the works is hereby fixed at one million seventy-seven thousand nine hundred and thirteen dollars (\$1,077,913.00), which sum shall be entered on the books of the works to the debit of "City Gas Works," and shall be added to annually hereafter for all expenditures for the works for actual enlargement and betterment. In ascertaining the income derived from the works, the city shall be charged for the gas used in the street lamps and public buildings and donated to private consumers by any ordinance or resolution of the council at the same rates charged consumers for like quantities. To carry into effect the above, the superintendent shall annually, during the month of January, present to the committee on light statements to show the following:

Cost of Gas.—To obtain the cost of manufacturing gas during the preceding year he shall debit the works with the amount expended in the manufacture of each kind of gas (coal and oil) separately, classified under the several heads as designated by the form of report adopted by the committee on light. In said account he shall credit each kind of gas

with the receipts during the year from the sale of any by-products obtained in the manufacture of that particular kind of gas, and then add all expenses for storing and distributing, allowing for loss by leakage and condensation, to obtain the cost at the burner; to which shall be added sales, general and street lighting expenses, to obtain the total of production. The cost to be figured on each one thousand cubic feet.

Income from Works.—To obtain the income from operation of the works, he shall debit the works with all expenditures including charges fixed by the preceding paragraph, said charges under sales and general expenses to include items of office rent, clerk hire in the auditor's and treasurer's offices, legal services, depreciation of one and one-half per cent. on the cost, interest and redemption at current annual rate, and such other items as may be proper; and credit the works with all receipts from sale of gas manufactured or material sold, other than by-products and real estate, during the preceding year. The balance of the account so stated shall show the income derived from operation, and shall be sufficient to cover all costs mentioned and any other legitimate charges. The present charge for gas shall continue until changed by ordinance, but it shall not be reduced below a price that will produce a sufficient income to meet the charges fixed by this section.

These accounts shall be furnished to the committee on light, and be printed with the annual report of the superintendent. The committee shall return said accounts to the city council with the superintendent's report showing the condition of the works, and any recommendations or plans for extending the works, mains or plant in any particular. All such plans for improvements must be approved by the committee before they are executed. (April 16, 1910.)

29. The auditor and treasurer shall keep their books, accounts of the money expended about, and received, from the works so as to enable the superintendent to ascertain the results required by the preceding section, and the auditor shall annually place to the credit of an account to be called city gas works depreciation the sum ascertained to be the correct amount under the provisions of the preceding section, which credit shall be available for enlargement of the gas works plant upon the approval of the council, but shall not interfere with the annual appropriation for extensions. The amount expended for extensions to be added annually to the cost of the plant in addition to other sums expended for enlargement or betterment. (April 16, 1910.)

30. It shall be the duty of the superintendent, the inspector, and such other men engaged about the works as the superintendent shall from time to time designate, to attend at places where, from fire or other cause, there

is danger of a loss of gas by burning or waste, with a stop-cock key and pliers, to shut off the gas, remove meters, or do anything else proper for the safety of property belonging to the city-connected with the gas works. (Code 1899.)

31. If any person shall deface or injure any house, wall, lamp, meter, or other fixture connected with or pertaining to the gas works, or shall tie to a lamp-post, or any fixture connected therewith, any horse or other animal or any boat, batteau or other vessel, or shall, without authority from the superintendent, or other authorized agent of the committee, climb a lamp-post, or light a lamp, or open a communication into, or remove any of the pipes, or shall put up any pipe or burner in addition to what may have been put up by authority and approved, or introduce the gas into such additional pipe or burner, or leave the end of a pipe or other opening without being secured with a blind cap, secured so as to prevent a leak, or in any manner consume or waste the gas, without paying for the same, every person so offending shall pay the whole cost of restoring the property injured (if any), the amount to be assessed by the superintendent or inspector, and also pay a fine of not less than two nor more than twenty dollars for each offence. The whole of the amount received to be paid to the treasurer. If, however, any person shall accidentally injure a street lamp or other property of the city gas works, and shall voluntarily pay to the treasurer, before he has been summoned to appear before a magistrate, the amount of the damage done, he shall be exempt from any further penalty under this section. (Code 1899.)

32. After gas has been introduced into any premises, no gas-fitter or other person than the inspector, shall disconnect or interfere with any meter without a written permit from the inspector. Nor shall any person disconnect any of the tubings or fittings or open the same for extension, alteration, or repair, without obtaining from the inspector or one of the other officers, a written permit, whereof there shall be forms in a permit-book, on the margin of which there shall be a copy or sufficient memorandum of every permit that is given. Such permit may be had whenever the office is open. When such permit is given, or when there is a leak in or injury to the meter or pipes within the premises, the inspector may stop the flow of gas at the cock outside said premises. After gas has, for any purpose, been stopped by the inspector or authorized agent of the committee, it shall not be let on until it is authorized by said inspector or such agent. Any person violating this section in any respect, shall pay a fine of not less than five nor more than twenty dollars. (April 16, 1910.)

33. Every person occupying any lot or tenement into which gas is conveyed under this chapter shall permit the superintendent or inspector,

or any authorized agent of the committee, to enter such lot or tenement at seasonable hours to examine the service-pipe, meter, and other gas apparatus, or take up, repair, or remove the same, or to see if this ordinance has been violated. Any person refusing so to do shall, for each refusal, pay a fine of five dollars. (Code 1899.)

34. The committee, or the superintendent, subject to their approval, may at any time have the communication of any service-pipe cut off, if they deem it necessary to protect the works against abuse or fraud. And they, or the superintendent, with their assent, may make from time to time such further rules and regulations not inconsistent with this ordinance, as may be found necessary or deemed advisable to ensure the proper management of the works, and the faithful performance by the officers and workmen of their duties. (Code 1899.)

35. Every officer of the gas works shall report to the superintendent every violation that shall come to his knowledge of this or any subsequent ordinance relating to the gas works, and the superintendent shall prosecute all who may be guilty of any such violation, reporting the same to the committee at its next monthly meeting, and shall diligently enforce this ordinance. (Code 1899.)

36. The agent or clerk receiving coal and delivering coke at the gas works, the several deputies in the inspector's office, the clerk to the inspector, and the bill clerk shall give bonds with sufficient surety, to be approved by the city attorney, each in the sum of one thousand dollars, conditioned for the faithful performance of their respective duties, and each shall take the oath of office prescribed by law. (April 16, 1910.)

37. In taking the state of the meters, it shall be the duty of each deputy to note and report in writing to the inspector of gas, all meters failing to register, or otherwise out of order, and the inspector of gas shall make a report in writing concerning such to the committee on light, at their first regular meeting in each month. All entries, including figures, upon the meter-books shall invariably be written in ink, under penalty of dismissal of the party offending therein. (Code 1899.)

38. The inspector of gas, or any deputy, who shall be guilty of any discourtesy or rudeness, or other disorderly conduct towards any person in the transaction or execution of any official business shall be therefor reprimanded by the committee, or dismissed from office, if the aggravation or repetition of such offence shall seem to the committee to make a dismissal proper or necessary. (Code 1899.)

39. The inspector of gas and his deputies, the clerk to the inspector, and the bill clerk, are strictly prohibited, under penalty of the forfeiture of their office or employment, from collecting any bill of gas consumed,

or paying or assuming to pay such bill for any consumer other than themselves. (April 16, 1910.)

40. No person shall have the use of any gas at any house or other place who is delinquent for gas consumed by him at any other place or house. (Code 1899.)

41. That the Spring Street Home shall be allowed to use 50,000 cubic feet of gas per annum free of cost, in its building situated at No. 601 Spring street, in the city of Richmond. (October 17, 1907.)

CHAPTER 31.

CONCERNING THE WATER WORKS.

1. The city council shall, in joint session, in the month of July and every alternate year thereafter, when other city officers are elected, elect a superintendent of the water works, who shall continue in his office for two years from the preceding first day of July, and until his successor is elected and qualifies, unless sooner removed. Before acting in his office he shall give a bond, with sureties, in the penalty of five thousand dollars, which shall be approved by the council. When his term of office expires, his official books and papers shall be delivered by him to his successor, or disposed of in such other manner as the committee on water may direct. (Code 1899.)

2. The committee on water, as soon as practicable after their organization, shall appoint an assistant superintendent of the water works, engineer in charge of the pumping stations, who shall be a mechanical engineer or a skilled machinist, and a keeper for each of the reservoirs, all of whom shall continue in office for a term of two years from the preceding first day of July unless sooner removed. Before acting in their offices the assistant superintendent of water works and the engineer in charge of the pumping stations, shall each give bond with sureties in the penalty of two thousand dollars (\$2,000.00) to be approved by the city attorney. Upon their appointment of either of these officers the committee shall report to the council the name of the person so appointed. (March 12, 1909.)

3. The superintendent of the water works, subject to the supervision of the committee on water, shall have charge of the reservoirs, pump-houses, grounds and buildings and everything used in connection with the collection, storage, filtration and delivery of water. He shall by means of frequent inspections and monthly reports from his assistants and the officers of his department, keep himself advised of the condition of all the works, appliances and property under his control, and shall have the same kept in good order and proper repair and operation and see that water is promptly furnished citizens and is as pure and clear as practicable, and he shall also keep himself advised as to the efficiency and faithfulness of the officers and employees in his department. He shall, as far as practicable, attend at his office, accessible to citizens and

others desiring to transact business with his department, from 9 A. M. to 12 M. of each day. (March 13, 1909.)

4. The committee on water shall have general supervision of the water works and the property and appliances used in connection therewith, and of the officers and employees in said department. The superintendent shall monthly make a detailed report to the committee of the condition of the property and appliances under his control, and as to the efficiency and faithfulness of the officers and employees of his department. (March 13, 1909.)

5. The engineer in charge of the pumping stations and his foreman shall remain in or at the pump-houses, and it shall be their special duty to take good care of the buildings and machinery. But they shall be at all times subject to the control of the superintendent of the water works. (March 13, 1909.)

6. The superintendent shall employ in and about the pump-houses, reservoirs and on the work of his department such men as he may deem necessary. He shall require to be kept an account of their names and the kind of work done by them and the days of the week or month that they work. He shall monthly present to the committee a pay-roll of the employees of his department, and a statement of all materials, tools and other articles necessary for carrying on the work of his department, together with an estimate of the cost of the same, and subject to such restrictions as may be imposed by the committee on water, the superintendent may purchase for his department all necessary materials, tools and other articles. All materials, tools and articles belonging to the department, not needed for immediate use, shall be stored and kept on the property now belonging to the city at the corner of Canal and Madison streets, which is hereby established as a storage place for the property and materials belonging to the water department, to be known as "Water Department Storehouse." The person in charge of such storehouse shall, under rules and regulations to be established by the committee, properly store and account for all such property and materials as may be committed to his care, and shall keep a detailed and accurate account of the same. All bills for property purchased as aforesaid for the department shall, within one month, be laid before the committee, and when audited and approved by said committee be paid out of the appropriations made for the several expense accounts of the water department, on warrants signed by the chairman of the committee and attested by the superintendent of the water works. The superintendent shall, when directed by the committee on water, sell or dispose of all articles or materials no longer needed in the department, collect the proceeds and pay the same into the

treasury of the city of Richmond, making a detailed report of all such transactions to the committee. (March 13, 1909.)

7. The superintendent of the water works shall preserve a map of the location of the main pipes, showing the course, distance, and size of each of them, and when there is any extension of the main pipes shall, as soon as possible, mark on the map the place of such extension and the size of the pipe used in making it. He shall enter in a book to be kept in his office, the quantity, description, and cost of the materials used, and the cost of labor employed in making such extensions. (Code 1899.)

8. In a book kept in his office the superintendent of the water works shall make an entry of all branch pipes, hydrants, and other fixtures from the main in the streets. The entry shall state the quantity, description, and cost of the materials used in laying down and fixing the pipes and fixtures, and it shall designate the point of junction of each branch pipe with the main pipe, and the course and distance of the pipes to the premises supplied thereby, so as, in after time, to avoid difficulty in ascertaining the position of any part of the pipe. (Code 1899.)

9. The committee on water are hereby expressly vested with power to determine when, upon the application of a property owner or owners, a water main may be run in the street or alley on which such property abuts, and whenever such main shall be introduced into a street or alley, it shall be the duty of said property owners to make connections therewith within thirty days thereafter, and to construct on their premises, if there be a sewer adjacent thereto, at least one closet and cause the same to be suitably connected with the water and sewer pipes. A book shall be kept in the office of the superintendent of the water works, with a caption importing that the owners of the property, whose names are undersigned, request that the water be introduced into the premises mentioned opposite their respective names, upon the terms prescribed by the ordinances of the city. When the owner of any property along the line of the water-mains applies for the introduction of water into his premises, he, or his agent, shall write his name in said book, and write opposite thereto the date and number of his application, the location of his premises, and the purposes for which the water is to be used. The city water shall not be introduced into any premises until there is written what is here required. (March 13, 1909.)

10. After there is written what is so required, water from the main pipe in public street or alley shall, without delay, be conducted by the superintendent of the water works to the applicant's premises by means of suitable service pipe and fixtures, the service pipe to be furnished by said applicant, with a separate attachment for his particular house or tenement. No hydrant or cock shall be allowed to be on a sidewalk, or

in an exposed situation, from which water may be taken without detection; and there shall be placed on the service pipe, near the curbstone, a stop-cock (with an iron cover marked "city water works"), so that the supply of water may be stopped at any time when it is proper to do so. The said applicant may have the water introduced into his premises from the service pipe, laid down by the superintendent of the water works, as above directed, by means of suitable service pipe, hydrant and fixtures; provided, such work be constructed by practical and competent plumbers, who have procured a license, and the materials used in the construction thereof be of the best quality and of such weight and description as the committee may prescribe in the particular case, or may prescribe for such work in the part of the city where the same is located, and provided that on the completion of the work, and before the water is turned into it, notice thereof shall be given to the said superintendent of the water works or his agent, and the work be by him inspected and approved. (Code 1899.)

11. The assistant superintendent shall, subject to the control of the superintendent, have general supervision over the outside work of the department, and shall discharge such specific duties as may be directed by the superintendent. He shall, during the sickness, absence or disability of the superintendent of the water works, act in his place and discharge the duties imposed upon him. He shall have made, and if correct shall certify, the pay-lists from the pay-rolls submitted by each foreman, and shall receive the necessary funds and pay each man the amount due him, taking his receipt therefor. (March 13, 1909.)

12. The supply of water to any person shall be on condition of his paying a water rent at certain rates, as follows:

For the purpose of building: For each table used for brick-making, forty dollars per annum. When in a building brick are laid, or stone work or plastering done, five (5) cents for each thousand bricks, two (2) cents for each cubic yard of stone work, and ten (10) cents for each hundred yards of plastering. A license shall be obtained from the superintendent for each building or other work before such work is commenced, for which the city water is wanted for any of these purposes; but no license shall be issued until the charges for water shall be paid on the estimated amount of work to be done, and when the same shall be completed the said license shall be returned to the superintendent, with a statement by a measurement of the number of bricks laid, yards of plastering or stone work. Penalty for non-compliance, ten dollars in each case.

For a public building, at the following rate per annum—to-wit: For the capitol and governor's mansion, one hundred dollars; medical col-

lege, fifty dollars; a theater, opera house, etc., thirty dollars; a public hall, with water fixtures accessible, ten dollars; with water fixtures inaccessible, five dollars; Henrico county courthouse, ninety dollars; custom house, one hundred and fifty dollars; penitentiary, five hundred dollars (except that the water used by the lessees and persons operating manufactories therein shall be paid for at the rate required by ordinance for other and similar manufactories).

For schools at the following rate per annum—to-wit: For a boarding school, twenty-five dollars; for a private school, five dollars.

For depots, manufactories, workshops, and warehouses, at the following rate per annum—to-wit: For a railroad depot, one hundred dollars, or special rates for every locomotive in which the city water is used. This shall pay for all the uses of water at such depot, except for stationary steam engines, water closets and baths; for each stationary steam engine, for each estimated horse-power of boiler from one to ten horse-power, five dollars; for each estimated horse-power from ten to forty horse-power, three dollars; for each estimated horse-power over forty horse-power, two and one-half dollars. But no steam engine shall be supplied except where the water is taken in the building where the engine is used for the usual purposes for which water is used in such building; for a rolling-mill or a foundry, or machine shop, or a factory, or stemmery, etc., fifteen dollars, if not more than fifteen persons be employed therein; for each additional person, thirty cents; for each spike machine, forty dollars; for each manufacturing mill, forty-five dollars; for a tobacco manufactory, thirty cents for each hand employed therein, but no charge to be less than fifteen dollars; for a warehouse, wholesale tobacco, etc., thirty dollars; storage warehouse, each ten dollars; for a currier shop, thirty-seven dollars and fifty cents; for a rectifying establishment, forty-five dollars; for a dyeing establishment, twenty-two dollars and fifty cents, exclusive of the use of steam boiler; for a larger beer, porter, soda, or bottling establishment, one table, twenty dollars; each additional table, ten dollars; for a blacksmith shop, four dollars for the first forge, and two dollars for each additional one; for a daily newspaper printing office, twenty dollars; other printing offices, ten dollars, or using motors or meter, special rates; for barber shop, six dollars for the first chair, and one dollar and fifty cents for each additional one; for a carpenter, paint shop, etc., five dollars; for a coach and wagon shop, fifteen dollars; for a candy factory, ten dollars.

Bakeries, restaurants, hotels, stables, billiard saloons, etc., at the following rate per annum—to-wit: For a bakery, twelve dollars; for a private boarding house, five dollars, and for each bedroom, used or not, one dollar; for a hotel or house of public entertainment, five dollars; and for

each bedroom, used or not, one dollar; restaurant, fifteen dollars; for a snack-house or lunch counter, ten dollars; for each bar, whether kept in a hotel or elsewhere, with a faucet in the bar-room, fifteen dollars; and for each additional faucet, three dollars, and without a faucet in the bar-room, ten dollars; for each beer pump, three dollars; for a public stable, seventy-five cents for each stall, whether used or not; for a private stable, one dollar and twenty-five cents for each horse or mule, one dollar for each cow, and one dollar and fifty cents for a private carriage or buggy, etc.; for a stable where hacks or carriages are kept for hire, four dollars and fifty cents for each hack, carriage, hearse, omnibus, etc., and one dollar and fifty cents for each buggy or wagon, whether kept for hire or in livery; for each mule or wagon lot, thirty dollars; for each stable, where wagons, drays, or carts are kept for hire, one dollar and twenty-five cents for each horse or mule; for a billiard saloon, with water fixtures convenient, twelve dollars, or without water fixtures, five dollars.

Stores, shops, and offices at the following rate per annum—to-wit: For a store, ten dollars; for a shop, five dollars; green grocery, five dollars; each fish stand, five dollars; if, besides being used as a store or shop, the house be also occupied as a dwelling for one or more families, then three dollars for each family; and in each case where a store or shop may have been rented by the owner or agent to different tenants, and so occupied, the bills shall be made out and presented to the owner or agent of said store or shop, who shall be responsible for their payment; for each office, not otherwise provided for, four dollars and fifty cents.

Dwelling houses at the following rate per annum—to-wit: For each dwelling house having only one hydrant or faucet, four dollars; for each dwelling house having a hydrant or faucet and closet, eight dollars; and for each additional faucet over one (hot and cold water faucets counted as one faucet), one dollar and fifty cents; where one supply furnishes more than one lot or premises, there will be made a charge against the owner of the lot or premises on which the supply enters from the street for each and every fixture connected with said supply on this or adjacent premises, and whenever any lot or premises shall be occupied by more than one family, a like charge shall be made for the parties having access to the fixtures, or a meter may be placed on the service pipe, subject to the approval of the committee on water, and meter rates charged, and the bill rendered against the person who subrents to other tenants.

Baths, water closets, urinals, fountains, hose, yard and street-sprinkling at the following rate per annum—to-wit: For each public bath tub, nine dollars; for each private bath tub, three dollars and fifty cents; each public water closet, six dollars; for a private water closet, three dollars; for

each additional water closet, on the premises, two dollars; for a closet, trough, or sink-closet, one dollar per lineal foot; for each private urinal, one dollar and fifty cents; for a public urinal, five to ten dollars; but no bath, water closet, or urinal shall be supplied except when the water is taken in the premises where said bath, water closet, or urinal is for the usual purposes for which water is used on said premises; any premises having water closets, bath, or other fixtures connected with the water pipes shall pay for the same, or have the pipes supplying them disconnected from the supply of said premises; for a fountain in a yard or store, having a one-sixteenth inch jet, six dollars; a one-eighth inch jet, ten dollars; a one-quarter inch jet, twenty dollars; a three-eighths inch jet, thirty dollars; a one-half inch jet, fifty dollars; a three-quarter inch jet, eighty dollars; a soda or mineral water fountain, ten dollars; all fountains to be used at the discretion of the committee on water. In such cases as the superintendent of the water works, under the regulation of the committee, may allow the use of small hose for the purpose of yard or street sprinkling, no use of hose will be permitted without a nozzle, and no larger nozzle than one-eighth of inch; for yard and sidewalk or street-sprinkling, for each thirty feet front or less, three dollars and fifty cents; and for each additional foot over thirty feet front, five cents; for yard, sidewalk, and street-sprinkling (including one-half the width of the road-bed), for each thirty feet front or less, eight dollars; and for each additional foot over thirty feet front, eight cents per lineal foot. Yard or street-sprinkling not to exceed three hours each day for any one lot. In the event of the use of lawn sprinklers or jets, fountain rates will be charged. No bill issued for less than one quarter. For the purpose of street-sprinkling any person wishing to engage in this business, for each block or square, fifteen dollars per month; or for the use of each cart of two hundred and fifty gallons capacity, eighteen dollars per month. Any person wishing to engage in the business of sprinkling the streets or public grounds of the city shall, before taking any water from the fixtures provided for that purpose by the water works, obtain a permit from the superintendent of water for this purpose, and a list of the fixtures from which he can get the water for this purpose. Each cart or wagon used for this purpose shall be numbered to correspond with the number given on the permit, and marked street-sprinkler No. —, which shall be painted on the cart or on a plate attached in a conspicuous position. No person holding such a permit will be allowed to transfer it to another without the written permission of the superintendent. All the tubes attached to the carts for discharging or sprinkling shall be well and securely made of proper material, and the orifices in the tube shall not exceed one-sixteenth of an inch in

diameter, or sixty orifices to the running foot of tube. Leaky casks, hose, or couplings will not be permitted, nor shall there be any unnecessary waste of water while filling or emptying the casks. All fixtures from which the water is taken to be carefully used and any injury resulting from careless or improper use will be repaired by the superintendent, who shall charge cost of the repairs to the party who has the permit for sprinkling. All sprinkling carts shall be inspected at any or all times by the superintendent or his agent. There shall be a fine of ten dollars on any person who shall for any purpose or in any manner violate any of the above-mentioned conditions.

Photograph galleries, milk depots, public laundries, etc., at the following rate per annum—to-wit: For each photograph gallery, fifteen dollars; for each milk depot or dairy, ten dollars; for each public laundry, twenty dollars; for each soap factory, ten dollars; for each public green house or flower garden, twenty-five dollars; for each private green house or conservatory, five dollars. (Code 1899.)

13. All buildings occupied by assemblies, of whatever name or denomination, and used for religious services or public worship exclusively, shall have the use of city water free of charge. (Code 1899.)

14. In any case not herein provided for, the water rent shall be at such rates as may be fixed by the superintendent of the water works, subject to the committee's approval. The committee on water may place a water meter on the service pipe or pipes to such premises, as it may deem advisable; and whenever a meter or meters shall have been so placed, by the order of the committee on water, the following rates shall be paid by the water-taker, or by the owner of the premises, if the premises be rented or leased by more than one tenant; and if, in any case, a tenant shall abandon or vacate the premises, leaving an unpaid water bill, the owner of the premises on which the water has been used shall be responsible for the water bill left unpaid, to the amount of one quarter's bill; and the water shall not be turned on said premises until the said bill has been paid. (June 24, 1907.)

a. For each and every lot or premise having one or more hydrants or faucets on the service pipe, the charge shall be four dollars (\$4.00) per annum, payable to the city treasurer monthly or quarterly in advance, and for this amount so paid, the lot or premise shall be entitled to the use of ten (10) cubic feet of water per day. (June 24, 1907.)

b. For each and every lot or premise having one or more hydrants, faucets, closets, or other fixtures on the service pipe, the charge shall be eight dollars (\$8.00) per annum, payable to the city treasurer monthly or quarterly in advance, and for this amount so paid, the lot or premise shall be entitled to the use of twenty (20) cubic feet of water per day.

If, however, at the end of the months or quarter, water in excess of the fixed quantities named above has passed through the meter, a charge for this excess quantity, at meter rates, shall be made, and the bill for the same paid to the city treasurer, within five days after presentation. (June 24, 1907.)

c. For public hospitals, charitable institutions, and churches, the rate by meter shall be .0375 cents per one hundred (100) cubic feet. (June 24, 1907.)

d. Cemeteries shall have the use of water free, subject to such rules and regulations as may be adopted by the committee on water. (August 8, 1908.)

e. The several departments of the city government shall pay for all water consumed in their respective departments at meter rates, where meters have been placed, and if no meter has been placed in the department, the quantity of water consumed by such department shall be estimated by the superintendent of the water works, and the charge therefor shall be in accordance with meter rates, and their accounts shall be carried on the books of the auditor, as all other accounts are now kept, and that this charge for water used by the different departments shall take effect from adoption of this ordinance. No charge shall be made against any department for the water used in extinguishing fires. (June 24, 1907.)

f. For manufactories, warehouses, machine shops, foundries, depots, theatres, balls, places of amusements, and all buildings or premises not otherwise specified, having a meter on the service pipe, the charge for water shall be at meter rates. Meter rates are as follows:

For 3,000 cubic feet or less per month 11 cents per hundred cubic feet.

From 3,100 to 4,000 cubic feet inclusive per month 10.5 cents per hundred cubic feet.

From 4,100 to 4,500 cubic feet inclusive per month 10 cents per hundred cubic feet.

From 4,600 to 5,000 cubic feet inclusive per month 9.9 cents per hundred cubic feet.

From 5,100 to 5,500 cubic feet inclusive per month 9.8 cents per hundred cubic feet.

From 5,600 to 6,000 cubic feet inclusive per month 9.7 per hundred cubic feet.

From 6,100 to 6,500 cubic feet inclusive per month 9.6 cents per hundred cubic feet.

From 6,600 to 7,000 cubic feet inclusive per month 9.5 cents per hundred cubic feet.

From 7,100 to 7,500 cubic feet inclusive per month 9.4 cents per hundred cubic feet.

From 7,600 to 8,000 cubic feet inclusive per month 9.3 cents per hundred cubic feet.

From 8,100 to 8,500 cubic feet inclusive per month 9.2 cents per hundred cubic feet.

From 9,100 to 9,500 cubic feet inclusive per month 9 cents per hundred cubic feet.

From 9,600 to 10,000 cubic feet inclusive per month 8.9 cents per hundred cubic feet.

From 10,100 to 10,500 cubic feet inclusive per month 8.8 cents per hundred cubic feet.

From 10,600 to 11,000 cubic feet inclusive per month 8.7 cents per hundred cubic feet.

From 11,100 to 11,500 cubic feet inclusive per month 8.6 cents per hundred cubic feet.

From 11,600 to 12,000 cubic feet inclusive per month 8.5 cents per hundred cubic feet.

From 12,100 to 12,500 cubic feet inclusive per month 8.4 cents per hundred cubic feet.

From 12,600 to 13,000 cubic feet inclusive per month 8.3 cents per hundred cubic feet.

From 13,100 to 13,500 cubic feet inclusive per month 8.2 cents per hundred cubic feet.

From 13,600 to 14,000 cubic feet inclusive per month 8.1 cents per hundred cubic feet.

From 14,100 to 14,500 cubic feet inclusive per month 8 cents per hundred cubic feet.

From 14,600 to 15,000 cubic feet inclusive per month 7.9 cents per hundred cubic feet.

From 15,100 to 15,500 cubic feet inclusive per month 7.8 cents per hundred cubic feet.

From 15,600 to 16,000 cubic feet inclusive per month 7.7 cents per hundred cubic feet.

From 16,100 to 16,500 cubic feet inclusive per month 7.6 cents per hundred cubic feet.

From 16,600 to 17,000 cubic feet inclusive per month 7.5 cents per hundred cubic feet.

From 17,100 to 17,500 cubic feet inclusive per month 7.4 cents per hundred cubic feet.

From 17,600 to 18,000 cubic feet inclusive per month 7.3 cents per hundred cubic feet.

From 18,100 to 18,500 cubic feet inclusive per month 7.2 cents per hundred cubic feet.

From 18,600 to 19,000 cubic feet inclusive per month 7.1 cents per hundred cubic feet.

From 19,100 to 19,500 cubic feet inclusive per month 7 cents per hundred cubic feet.

From 19,600 to 20,000 cubic feet inclusive per month 6.9 cents per hundred cubic feet.

From 20,100 to 20,500 cubic feet inclusive per month 6.8 cents per hundred cubic feet.

From 20,600 to 21,000 cubic feet inclusive per month 6.7 cents per hundred cubic feet.

From 21,100 to 21,500 cubic feet inclusive per month 6.6 cents per hundred cubic feet.

From 21,600 to 22,000 cubic feet inclusive per month 6.5 cents per hundred cubic feet.

From 22,100 to 23,000 cubic feet inclusive per month 6.4 cents per hundred cubic feet.

From 23,100 to 24,000 cubic feet inclusive per month 6.3 cents per hundred cubic feet.

From 24,100 to 25,000 cubic feet inclusive per month 6.2 cents per hundred cubic feet.

From 25,100 to 26,000 cubic feet inclusive per month 6.1 cents per hundred cubic feet.

From 26,100 to 27,000 cubic feet inclusive per month 6 cents per hundred cubic feet.

From 27,100 to 28,000 cubic feet inclusive per month 5.9 cents per hundred cubic feet.

From 28,100 to 29,000 cubic feet inclusive per month 5.8 cents per hundred cubic feet.

From 29,100 to 30,000 cubic feet inclusive per month 5.7 cents per hundred cubic feet.

From 30,100 to 31,000 cubic feet inclusive per month 5.6 cents per hundred cubic feet.

From 31,100 to 32,000 cubic feet inclusive per month 5.5 cents per hundred cubic feet.

From 32,100 to 33,500 cubic feet inclusive per month 5.4 cents per hundred cubic feet.

From 33,600 to 35,000 cubic feet inclusive per month 5.3 cents per hundred cubic feet.

From 35,100 to 36,500 cubic feet inclusive per month 5.2 cents per hundred cubic feet.

From 36,600 to 38,000 cubic feet inclusive per month 5.1 cents per hundred cubic feet.

From 38,100 to 39,500 cubic feet inclusive per month 5 cents per hundred cubic feet.

From 39,600 to 41,000 cubic feet inclusive per month 4.9 cents per hundred cubic feet.

From 41,100 to 42,500 cubic feet inclusive per month 4.8 cents per hundred cubic feet.

From 42,600 to 44,000 cubic feet inclusive per month 4.7 cents per hundred cubic feet.

From 44,100 to 45,500 cubic feet inclusive per month 4.6 cents per hundred cubic feet.

From 45,600 to 47,000 cubic feet inclusive per month 4.5 cents per hundred cubic feet.

From 47,100 to 48,500 cubic feet inclusive per month 4.4 cents per hundred cubic feet.

From 48,600 to 50,000 cubic feet inclusive per month 4.3 cents per hundred cubic feet.

From 50,100 to 51,500 cubic feet inclusive per month 4.2 cents per hundred cubic feet.

From 51,600 to 53,000 cubic feet inclusive per month 4.1 cents per hundred cubic feet.

From 53,100 to 54,500 cubic feet inclusive per month 4 cents per hundred cubic feet.

From 54,600 to 56,000 cubic feet inclusive per month 3.9 cents per hundred cubic feet.

From 56,100 to 58,900 cubic feet inclusive per month 3.8 cents per hundred cubic feet.

59,000 cubic feet and over per month 3.75 cents per hundred cubic feet. (June 24, 1907.)

g. In the event of the water meter being choked, or for any other cause having failed to register, and the water-taker has received the usual or necessary supply of water during such time of failure of the meter to register, then it shall be lawful for the superintendent of water to make a bill against the water-taker for such amount as is shown to be the average consumption of water on the premises for the preceding six months, or for a shorter period, if deemed proper by the superintendent. (June 24, 1907.)

h. Whenever more than one service pipe shall enter into any one lot or premise, and the said committee shall have placed on one of said pipes a water meter then another meter and box shall be furnished by the owner for each additional service pipe, and the cost of setting same charged to

the owner of such lot or premise, who shall pay the same before the water shall be turned on said pipe; unless the owner of said lot or premise remove or cut off from his lot or premise said extra service pipe. All such additional meters shall be under the supervision of the superintendent of water works, and if such additional meters require repairs, or renewals, the cost of said repairs or renewals shall be paid by the owner of the premises. Whenever a single service pipe supplies more than one lot, premise, or apartment, occupied by different tenants, and the water meter has been placed on the service pipe the water bill for each premise shall be charged to and paid by the owner of the lot, premise, or apartment so occupied; but where a dwelling house is occupied by two families, the charge shall be as if there was but one family on the premises; provided, however, that if the dwelling is arranged for flats or apartments having separate water facilities for each flat or apartment, then the water shall be charged for as if supplied to separate premises. (April 20, 1908.)

i. In the event a single service pipe supplies more than one lot or premise, and a meter is placed thereon, the water bill shall be charged to and paid by the owner of the lot or premise into which the pipe enters from the street, and said owner shall be held responsible for the water consumed on each of the lots or premises using water from this service pipe. (June 24, 1907.)

j. Meters, when located on premises (and not on the street), shall in all cases be set in places accessible to the agents of the water works, and no connections shall be made for the conveying of water for any purpose outside or beyond the meter. The location of the meter, if on the premises, is to be approved by the superintendent or committee on water. Should the meter be changed, at the request of the owner, from one location to another, the whole cost of making said change shall be paid by said owner. (June 24, 1907.)

k. A consumer of water by meter may use water for any and all purposes on his premises, but will not be permitted to supply the premises of any other person, except as above stated. No private pipe shall be laid into, across, or through any adjacent premises.

All water passing through a meter, except the fixed quantity before stated, for certain fixtures, will be charged for whether used or wasted. (June 24, 1907.)

l. No person shall be entitled to damages, or to have any portion of a payment refunded for any stoppage of supply of water occasioned by choking or accident to either the service pipe or meter, or for the stoppage of water, for the purpose of additions or repairs, and the superintendent shall have the right to shut off the water to make repairs or additions to pipes and meters. (June 24, 1907.)

m. No meter shall be disconnected from the pipe, moved, or disturbed, without the permission of the superintendent or committee on water who, when necessary, shall send the properly authorized person to attend to any changes needed. (June 24, 1907.)

n. After a meter shall have been placed on the pipe or pipes supplying any premise, the owner of the premise shall be responsible for any damage which said meter may sustain, resulting from the carelessness of the owner or tenant, or for any damage which may result from hot water or steam setting back from a boiler, and the cost of renewals or repairs shall be paid by said owner to the city treasurer; and in the event said bill for damage is not paid within five days after presentation, the superintendent shall cause the water to be turned off the premises, and shall not turn it on again until the charges shall have been paid. It shall be the duty of the superintendent to investigate and determine in each case the responsibility for the damage, and the cost of the renewal or repairs. (June 24, 1907.)

o. The expense of purchasing and placing meters upon the service pipe of premises for all premises having only one service pipe shall be borne entirely by the city (except where persons furnish or have furnished their own meters), and all meters so placed shall remain the property of the city, and all meters, by whosoever furnished, shall be under the supervision and control of the superintendent of water works and the committee on water. (June 24, 1907.)

p. The superintendent or his subordinates, under his direction, shall have the right to inspect any and all meters, and repair the same when necessary. All repairs to meters, whether chargeable to the city or owner of the premises, shall be made under the supervision and to the satisfaction of said superintendent. (June 24, 1907.)

q. Whenever any bills for repairs of meters, or bills for water used, shall remain unpaid for five days after presentation, the auditor shall notify the superintendent, who shall have the water turned off the premises, and it shall not be turned on again until the bill or bills have been paid. All amounts received by the city treasurer or collector of delinquent taxes for the repairs or renewals of meters shall be certified by the respective officers to the auditor of the city, and it shall be the duty of said auditor to place all such amounts to the credit of the committee on water for the purchase and repairs of meter. The auditor shall place all delinquent bills in the hands of the collector of delinquent taxes, who shall proceed to collect them in any manner in which any other delinquent tax bills may be collected. (June 24, 1907.)

r. Any person who shall violate any of the conditions and requirements as set forth in this section, or who shall wilfully or negligently injure or

deface a meter, or any of its appurtenances, or shall in any manner attempt to interfere with its mechanical parts and connections, so as to prevent its performing its full work with accuracy, shall be subject to a penalty of not less than five nor more than one hundred dollars for each offence. (June 24, 1907.)

15. Water rents and meter bills, except where otherwise expressly provided, shall be payable quarterly in advance. In the first district (that portion of the city east of Seventeenth street), on the first day of February, May, August and November, respectively, of each year; in the second district (that portion of the city, including both sides of Seventeenth street, between corporation lines westward to and including both sides of Belvidere and Munford streets and Brook avenue north of Munford street between corporation lines), on the twelfth day of March, June, September and December, respectively, of each year; and in the third district (that portion of the city not included in the first and second districts) on the nineteenth day of January, April, July and October, respectively, of each year, except when the supply of water is commenced in the district between the days above fixed for payments of rent in that district, the person supplied shall, at the time of such commencement, pay at the rate before mentioned up to the next ensuing day for payment of water rent in that district. (May 17, 1909.)

16. When, upon such application as is before mentioned, a hydrant is erected on any premises, and water commenced to be supplied at such hydrant, rent for such water shall be payable quarterly. When there are two houses or tenements, and payment for water supplied at the hydrant of each has been made for not less than a quarter, a water-taker removing from the one to the other shall give notice of such removal to the superintendent of the water works, who shall thereupon stop the supply of water at the one and furnish it at the other, and payment shall be made accordingly. And if any person who is taking water at a house removes therefrom he shall give notice thereof on or before the day of his removal; and if he shall fail to do it, he shall pay a fine of not less than five nor more than ten dollars. (Code 1899.)

17. All water bills shall be payable quarterly, unless otherwise ordered by the committee on the written application of the water-taker, owner or agent, and bills for the same shall be made out showing the quantity of water consumed by the taker, and shall be presented to the person who is to pay it at his residence or place of business, stating at the foot of the bill the date on which it is presented. Before the day of payment of water rents the auditor of the city of Richmond shall be furnished with a correct list of all persons to whom water has been supplied and the sum payable by each for water rent. (March 13, 1909.)

18. The amount of the bill for water shall be paid to the treasurer, at his office, within five days next after its presentation and before three o'clock P. M. Five days after the date of presentation of water bills the superintendent of the water works shall examine or cause to be examined by his assistants, the list of bills made in his office, and furnished to the auditor, and ascertain and list therefrom all the bills thereon which are not, by the auditor, marked paid, and shall cause the water to be stopped from the premises in respect to which the default exists (if the same can be done without stopping the water from the premises of others who have paid); and he shall not allow it to be used on these premises again by the same party until the bill is paid; the bill not to include any charge for water for the time it was shut off; provided, however, that water shall not be stopped or shut off from any lot or premises on which there is any contagious or infectious disease, which in the opinion of the board of health is of a character such that the risk of communicating the disease to others would be increased by such shutting off of the water, and in such case the water shall not be shut off until the owner or occupier of such premises shall have continued in default in the payment of his water rent for a period of thirty days after recovery from said case of contagious or infectious disease. The list of delinquents made by the superintendent as herein required, shall be made upon a book suitably ruled and bound, and shall contain at least columns for the number of the bill, the name of the water-taker, the number of the district, the amount of the bill, the date of final payment and other necessary spaces, including a column to indicate the execution of the order to "shut off"; and may be used by the water office in the work of shutting off, but shall be daily returned to the auditor in time for use in checking the treasurer's receipts from bills thereon listed. (June 21, 1909.)

19. If any person other than the superintendent of the water works, or his agents, shall introduce into any lot or tenement water from the city pipes, or introduce any ferrule or other fixture into any of said pipes, or construct or lay down, or have constructed or laid down, any pipes or other works for the purpose of introducing water into a lot or tenement, or break up any street, lane, alley or road for the purpose of constructing or laying down any such pipes or works, every person so offending shall pay a fine of not less than ten nor more than fifty dollars, and every twenty-four hours during which such work or fixture shall continue shall be a distinct offence. But after water has been introduced into a lot or tenement, as provided in section nine of this chapter, the fine shall not be incurred by the owner or occupier of such lot or tenement, when he, by permission in writing of the superintendent of the water works, or

(if he refuse) by permission of the committee, causes to be attached to the said pipes, fixtures for water closets, boilers, bath, wash basins, or other things for which water is required; provided, the pipes used, the kind of faucets and other fixtures, their protection against freezing, and the general arrangement of the work in reference to the security, safety, and proper use are subject to the approval of the superintendent or committee on water, and are constructed by practical and competent plumbers; and provided, that on the completion of the work notice thereof be forthwith given to the superintendent of the water works, or his agent, and the work be by him inspected and approved. (Code 1899.)

20. No plumber shall make any addition to or alteration of any fixtures connected with the water works without first having received a written permit from the superintendent of the water works or the committee to do so. Nor shall any attachment be made for any purpose whatsoever from any pipe, except it be the pipe supplying the premises for which such work is to be done, and all pipes put in by plumbers shall have separate stop-cocks to each branch thereof at points easily accessible, so that no difficulty may occur in shutting off the water when it is necessary to do so, under penalty of ten dollars for each violation. All pipe laid in the ground shall be not less than two feet in depth, and when conducted through houses or extended outside in exposed positions, where they are liable to freeze, shall be carefully cased in and packed with mineral wool or some other non-conducting material, to be approved by the superintendent of the water works; and all water closets and baths in exposed places supplied with water, shall have water pipes thoroughly cased in and packed as above described, and shall be provided with automatic shut-off cocks and waste cocks at a point two feet below the surface of the ground, so that the water can be cut off and drawn from the pipes, proper provision being made to get rid of the waste water; and all hydrants, stop and waste cocks and other fixtures for supplying water used to be subject to the approval of the superintendent or committee on water, and all stop-cocks in the ground to be so located with iron or terra-cotta boxes not less than four inches internal diameter, with a cast-iron top, with the plumber's name and place of business in letters on the top, and put in such places as always to make them accessible. All plumbing work shall be inspected and approved by the superintendent of the water works or his agent, or any agent the committee on water may appoint for this purpose, before connection shall be made with the water mains in the street, unless by special written permit. All service pipe used in connection with water works shall be lead and of the following weights per foot:

$\frac{3}{8}$ -inch diameter—1 pound 8 ounces per foot.

$\frac{1}{2}$ -inch diameter—2 pounds per foot.

$\frac{5}{8}$ -inch diameter—2 pounds 8 ounces per foot.

$\frac{3}{4}$ -inch diameter—3 pounds per foot.

1-inch diameter—4 pounds per foot.

No plumber will be allowed to put in any lead pipe, except in conformity with this schedule of weights, nor shall any other be used except by special permission of the superintendent of the water works or committee; and with the further exception that the pipe supplying hot water from the boiler to the hot-water faucets may be of galvanized iron or brass; and whenever a water meter may be set on the pipe or pipes supplying the premises, iron pipe may be used on the premises; provided, the owner or agent of the property has submitted a written request to the superintendent or committee on water for permission to use iron pipe, and said permission has been granted. Each plumber, previous to undertaking any of the above work, shall receive a general license, without charge, from the superintendent of the water works. No license will be granted to other than practical plumbers, or to those who employ practical plumbers to do their work; and satisfactory evidence of their being practical plumbers will be required before the superintendent shall issue said license. No licensed plumber will be permitted to take out a permit for work to be done by a person not in the employ of such plumber, nor shall a license be granted to any person who the superintendent shall be satisfied, from his violations of the requirements of the city ordinances as to plumbing work, should not be trusted with a license; nor shall a license be granted to any person who shall thereafter employ such plumber. For repeated violations of the regulations and requirements of said ordinances as to plumbing by any licensed plumber, the said superintendent is authorized to revoke any license then held by said plumber. Any plumber dissatisfied with the decision of said superintendent in either refusing or revoking a license may appeal to the committee on water for redress. All licenses now in force shall expire on the thirty-first day of December, next ensuing; and all licenses issued hereafter shall be for the term ending December thirty-first next following their issue, unless said license shall have been cancelled or revoked. Any person violating any of the foregoing rules, regulations or conditions set forth in this section shall be liable for each offence to a fine of not less than ten or more than fifty dollars, to be imposed by the police justice. (Code 1899.)

21. Every person occupying any lot or tenement into which water is conveyed shall permit the superintendent of the water works, or his agent,

or any authorized agent of this city, to enter such lot or tenement, at seasonable hours, to inspect the works therein, or to see if the provisions of this chapter have been violated. Any person refusing so to do shall, for each refusal, pay a fine of five dollars. (Code 1899.)

22. If any person shall deface or injure any house, wall, cock, wheel, fire-plug, or other fixture connected with or pertaining to the water works, or shall bathe in the reservoirs, basin, or canal thereof, or deposit any offensive matter, or any stick, mud, or rubbish in said reservoirs, basin, or canal, or shall, without lawful authority, climb over or get through the fence or enclosures of the reservoirs, or place any building material, rubbish, or any other matter on the stop-cock of a street main or service pipe, or obstruct access to any fixture connected with the water works, or remove or injure any pipe, fire-plug, hydrant, or cock, or open any of them so as to waste the water; or if any person shall use the city water for a purpose for which he has neither paid nor obtained a license to use it, every such person shall, for each offence, pay a fine of not less than five nor more than twenty dollars. (Code 1899.)

23. When the occupier of a lot or tenement on which has been erected or placed a hydrant, cock, or other fixture to supply water, shall permit the water to run from the hydrant, cock, or fixture without proper care to prevent waste, or fail to keep their water pipes and fixtures in good repair and protected from freezing, or shall permit the water to be used, taken, or received by any person other than the said occupier, or a member or visitor of his family, there shall in each case be a fine on the said occupier of not less than five nor more than twenty dollars; and there shall be a like fine also on the person so using, taking, or receiving the water; and in either case the superintendent of the water works shall stop the water from the tenement, and not turn it on again until a satisfactory assurance is given him that the like case will not happen again; and in all cases where there are two or more premises supplied by a single tap, and the fixtures accessible to each, a like charge shall be made for each of the premises having access to the fixtures, and a bill presented to the owner or agent of the premises on which said fixtures exist, unless one tenant assumes the responsibility for the whole charge, or unless proper enclosures or barriers are put up and maintained to prevent access from the others; so, likewise, if any hydrant, cock, or other fixture be found leaking, or left running when not in actual use, and the owner or occupier of the premises shall refuse or fail, after due notice, to have the necessary repairs made, the superintendent of the water works shall stop the water from said lot or tenement, and there shall be a fine of ten dollars on any person who shall turn on the water before such repairs are made. If any person, not acting under the authority of the superin-

tendent of the water works or the committee, shall turn the city water on any premises whatsoever, or if any person shall take, receive or use the city water before having first paid the charges for the same, he shall pay a fine of ten dollars for each offence. (Code 1899.)

24. Notwithstanding the preceding provision, the committee may grant to any poor person, without charge therefor, the use of water from a hydrant on another lot or tenement with the permission of the occupier thereof; or they may grant any such person water for family use free; provided, he shall pay all other charges against him for water on such premises. The superintendent of the water works shall keep a separate list of licenses granted under this section. (Code 1899.)

25. Nothing in this chapter shall prevent the occupier of a lot or tenement supplied with city water from having, when his hydrant or pipe is out of order, the use of water from a hydrant on another lot or tenement, with the permission of the occupier thereof; nor prevent any person from taking city water to extinguish fire; nor prevent city water from being used by a fire company in examining or practicing or cleaning or putting in good condition their engines and hose. (Code 1899.)

26. The superintendent shall diligently enforce all ordinances relating to the water works, and prosecute all who may violate any of their provisions; and it shall be the especial duty of the police to report violations of this chapter which come within their knowledge. (Code 1899.)

27. That the pay of the keeper of Marshall reservoir be, and is hereby, fixed at sixty (\$60.00) dollars per month as keeper, and he shall be paid a further sum fixed at fifteen (\$15.00) dollars per month for and conditional upon the doing satisfactorily of any and all other work heretofore performed by an assistant during the night, necessitated by the operation of valves for feeding Marshall reservoir from the new reservoir and the said keeper shall be allowed two tons of coal per year, and use of the keeper's house on the premises free of charge and lights. (February 18, 1910.)

28. That all consumers of water outside of the corporate limits of the city of Richmond, using water from the stand-pipe service, shall pay for city water at the rate to be prescribed by the committee on water and that the minimum rate applied to all such consumers shall not be less than ten cents per thousand gallons. That all sections of ordinances or resolutions granting water to parties outside of the corporate limits of the city of Richmond which are in conflict with these rates, are hereby repealed, and said parties shall hereafter pay for water at such rates as may be prescribed by the committee on water, the minimum rate in all cases to be not less than ten cents per thousand gallons where water is taken from the stand-pipe service. (August 17, 1906.)

29. That each separate house or tenement, although more than one adjoining house or tenement may be owned by the same person, shall have a separate connection with the water main or pipe located in the street or alley adjacent to such tenement or house, and where there is now one or more tenements or adjacent houses with a single connection the owner or owners thereof, shall, within thirty days from the passage of this ordinance, make separate connections for each of said tenements or houses as hereinbefore required. Any person violating the provisions of this section shall be liable to a fine of not less than five nor more than ten dollars for each offence, recoverable before the police justice of the city of Richmond, each day's failure to make such connection to constitute a separate offence. (June 24, 1907.)

30. That it shall be the duty of the owners and occupants of lots with occupied houses on them, to which city water is accessible, and which adjoin by the front, rear or side, a street or alley in which there is a sewer owned by the city, into which it is practicable to enter, shall, upon notice in writing from the board of health, so to do, make application under section 9 of this chapter for the introduction of water into their premises, and as soon as water shall have been introduced into the premises such occupant shall use city water on the premises to flush all closets and to carry all waste water and sewerage into the city sewer. Any person failing for thirty days to comply with said notice or to use city water for said purposes, when the connection shall have been made, shall be liable to a fine of not less than two nor more than ten dollars for each day's failure to comply with the foregoing requirements. (January 12, 1906.)

31. That any person or company engaged in the business of sprinkling the streets of the city of Richmond by means of sprinkling carts or wagons shall pay for the water used in sprinkling the streets the rate of three (3) cents per thousand (1,000) gallons, and shall be subject to all rules and regulations of the city ordinances governing the use of city water, with the exception that the rate shall be three (3) cents per thousand (1,000) gallons for all water so used. (June 16, 1905.)

32. That water and gas used at the city jail shall be charged to and paid for by the city sergeant at the rates at which gas and water are furnished to other takers of the same in like quantities. (August 8, 1908.)

33. Hereafter all gas mains, water mains and sewers shall be laid in the alleys of the city, rather than in the streets, whenever and wherever the alley is a practicable route, and in the streets only when there is no available alley route. (April 20, 1903.)

34. That, subject to the control of the committee on water, the super-

intendent of the water works be, and he is, hereby authorized to employ in the general office of the water works department the following employees:

One chief clerk.

One assistant clerk and stenographer who shall act as clerk to the committee on water.

Two bill clerks.

Four messengers.

Five inspectors and meter readers.

All of said employees shall be subject to, and receive orders from the superintendent, or any officer designated by the superintendent. (September 18, 1909.)

CHAPTER 32.

CONCERNING THE CITY ELECTRIC LIGHT AND POWER PLANT, THE COMMITTEE ON ELECTRICITY, CITY ELECTRICIAN AND THE EXAMINATION AND LICENSING OF ELECTRICIANS.

1. That there shall be established, constructed, equipped and maintained, subject to the conditions hereinafter contained, an electric light and power plant for the generation of electricity for municipal purposes only, on the property belonging to the city of Richmond, known as the Old Pump House, which property was conveyed to the city of Richmond by J. B. Harvie and wife and others, by deed dated April 23, 1840, and recorded in the clerk's office of the county court of the county of Henrico, deed book 42, p. 203, and, as soon as needed for that purpose, the committee on water shall, subject to the limitations hereinafter mentioned, turn over to the said committee on electricity, so far as in their judgment is practicable, all of the lands, buildings, machinery, dams, raceways, rights and privileges now constituting the plant known as the Old Pump House, reserving only such control thereof as the committee on water may deem necessary, and which, in the opinion of the superintendent of the water works, will not unduly interfere with the operation of his department, and upon the completion and equipment of the said electric plant, to surrender entire control thereof, it being the intention of the city of Richmond to abandon the said pumping station now located on said plant, and in lieu thereof, to provide for additional pumping facilities at the New Pump House, such additional pumping capacity to be operated and propelled by electricity generated at its said electric plant and transmitted to the New Pump House, the supply of water at the Old Reservoir to be provided and delivered by a pipe from the New Pump House or New Reservoir. (April 23, 1907.)

2. That the main generating station of said light and power plant shall be located on the said property hereinbefore particularly described, which water power, so owned by the city of Richmond, shall be developed and improved, in connection with the said plant, in such manner as may appear to the best interest of the city; and subject to the approval of the city engineer and city electrician, there shall be erected poles, wires strung thereon, and conduits built under the streets, alleys and other public places of the city of Richmond and wires placed therein for the transmission of electricity, and other necessary electrical apparatus and ap-

pliances shall be equipped in connection therewith, in order to furnish power for municipal purposes only, and light for lighting the streets, alleys, lanes, parks, buildings and other public places of the city of Richmond, but, as far as practicable, the poles and conduits of any person, firm or corporation having poles or conduits in the streets, alleys or other public places of the city of Richmond, shall be used on the terms and conditions set forth and provided for in chapter 40 of Richmond City Code 1910, and any amendments thereto. (April 23, 1907.)

3. And in order to establish, construct, equip and maintain such plant the committee on electricity are hereby authorized and empowered to receive bids for the necessary work, and for the purchase of the necessary equipment, but no contract for such work or equipment shall be made or become binding to any extent whatsoever until the same shall have been reported to and expressly authorized by the council of the city of Richmond. (April 23, 1907.)

4. That there shall be erected at the New Pump House a stone building, corresponding in style and architecture to the New Pump House building, and to be of sufficient area and ample capacity for the installment and operation of electrically operated pumps, all the necessary pump connections, motors, switches, etc., of every description, said pumps to have a capacity to deliver twelve million gallons of water into the New Reservoir each twenty-four hours, and there shall also be constructed and laid a thirty-six inch cast iron water main with the necessary valves and connections from the electric pumps to the new reservoir and said electric light and power plant shall be sufficient to provide a constant and sufficient electric power, whether generated by water or steam, to operate said pumps running continuously during the twenty-four hours and pumping at a rate of five hundred thousand gallons of water per hour or twelve million gallons in each twenty-four hours into the New Reservoir, all electric power for such purposes to be free of any cost or charge against the city water works in consideration of the fact that the city water works turns over for an electric light and power plant all grounds and buildings, water power rights and property of every kind now owned by and pertaining to the Old Pump House site, the estimated value of which is three hundred thousand dollars. That all constructions of every description of the proposed pumps and connections and the pump main leading to the New Reservoir, when made, shall be done under the supervision and to the satisfaction of the superintendent of the water works and the committee on water. That none of the old pumps now being operated at the Old Pump House by the city water works for supplying water to the city shall be removed without the approval of the superintendent of the water works. (April 23, 1907.)

5. That a committee, to be known as a committee on electricity, be and the same is hereby created and shall consist of four members of the common council and three members of the board of aldermen, to be appointed by the respective presidents of each branch. (April 12, 1901.)

6. The committee on electricity shall be authorized to prepare for the approval of the council rules and requirements for the installation of electric wiring and apparatus, to be used by all persons, firms or corporations furnishing or receiving electricity for manufacturing, mechanical or other purposes within the city of Richmond, and from time to time to recommend such alterations, amendments or repeal of such rules and regulations. And it shall be the duty of the said committee on electricity to inspect, or from time to time to cause to be inspected by the electrician of the city, all electrical works and appliances used or intended for the use of the manufacture or supplying or receiving of electricity within the city of Richmond, and especially such of said works or appliances as are used or intended to be used in making connections for supplying to and receiving electricity in buildings so that all such connections and appliances within or without all buildings shall have proper insulation, in order to guard against fires or damage to persons and property by reason of their imperfect construction or insulation. And the electrician of the city shall from time to time make report of all defective construction of such works, connections or appliances; and the said committee shall be authorized to require the same to be repaired, rebuilt or removed whenever the same shall not be in accordance with the rules and ordinances of the city council. And any person failing or refusing to comply with the requirements of the said committee, as to the removal, repair or rebuilding of such work or appliances, after being notified in writing of such requirements for at least five days, shall be fined not less than five nor more than ten dollars for each day's failure or refusal so to comply, such fine to be recoverable before the police justice. (July 20, 1901.)

7. That the committee on electricity, shall as soon as practicable after July 1, 1909, and biennially thereafter, appoint two electrical inspectors whose duty it shall be, under the direction of the city electrician, to inspect electrical wirings inside of and outside of buildings, and also to perform such other duties pertaining to the department of electricity as may be required of them respectively by the city electrician or the committee on electricity; such appointments shall be made from a list of not less than six competent electricians to be furnished to said committee by the city electrician. The said inspectors shall receive a salary of one thousand and eighty dollars (\$1,080.00) per annum each, payable as other salaries are paid. (January 6, 1910.)

8. That the city electrician may also from time to time employ, under direction of the committee on electricity, such other persons as may be necessary for the proper inspection or removal of such electrical appliances as may be deemed unsafe by him and not in accordance with rules and ordinances adopted by the council of the city of Richmond, and for which no owner can be found; but in any case where an owner can be found for any such appliances which are not now in use, such owner shall be required to remove such appliances, and upon his failure so to do, when required by the city electrician, he shall be liable to a fine of not less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00), recoverable in the police court. (May 17, 1902.)

9. That the committee on electricity is hereby empowered from time to time to purchase such electrical instruments as may be required for the department of electricity, provided the cost thereof does not exceed the amount of the annual appropriations which may be devoted to that purpose out of the fund under the control of the committee on electricity. (May 17, 1902.)

10. The superintendent of fire alarm and police telegraph shall, by virtue of his office, and with the consent of the board of fire commissioners, be the electrician of the city. He shall, in compensation for his services as city electrician, receive a salary of seven hundred dollars per annum, payable monthly. (April 15, 1904.)

11. It shall be the duty of the electrician of the city to look after and keep in repair and proper condition all electrical apparatus owned and controlled by the city, and shall inspect all overhead street-construction poles, brackets, cross-arms, and all connections inside or outside with buildings, test the candle-power of any and all electric lights furnished by contract to the city, and such other electrical work as may be required of him by the committee on electricity; he shall keep a faithful record of all applications to string wires in streets or houses, whether approved or rejected, and shall immediately inspect all new work and report the same to the committee. (April 12, 1901.)

12. It shall, with the consent of the board of police commissioners, be the duty of the city police, to report to the office of the electrician of the city all electric lights defective or found not burning, and upon receipt of any such report, the corporation, firm or individual furnishing said lights shall be notified of the same by the electrician, and the said electrician shall keep a record of the same and report to the committee at least once a month. (April 12, 1901.)

13. It shall be unlawful for any corporation, firm or individual to string wires or make any electrical connections with buildings, within the corporate limits of the city of Richmond, without permission to do the

same from the electrician of the city, subject to the approval of the committee on electricity; and any corporation, firm or individual violating this provision, shall, upon conviction before the police justice, pay a fine of not less than ten dollars nor more than one hundred dollars, at the discretion of said justice. Each violation shall be a separate offense. (April 12, 1901.)

14. Nothing contained in this chapter shall be construed to relieve any corporation, firm or individual from liability or moral responsibility in case of accident to life, or damage to property, in the operation of their plant. (April 12, 1901.)

15. Every person desiring to do work as an electrician within the city of Richmond shall, before obtaining a license as hereinafter provided, make written application to the city electrician for an examination as to his proficiency and capacity to do such work. Said examination shall relate to the knowledge of the applicant as to electricity, and shall be practical as well as theoretical, and if the applicant shows himself competent and qualified to perform electrical work, the said city electrician shall deliver to the applicant a certificate to that effect, which certificate shall entitle the said applicant to obtain from the city treasurer a license upon payment of a license fee of one dollar. (May 14, 1906.)

16. Every electrical contractor doing work in the city of Richmond shall be required to obtain a license for the privilege of doing such business, and to pay for such privilege at the rate of twenty-five dollars per annum, which sum or the ratable part thereof as the case may be, shall be paid to the treasurer of the city of Richmond before such license shall be effective, who is hereby authorized to issue such license, upon the payment of the sum required. All licenses so issued shall expire on the 31st day of January succeeding their date; provided, however, that no license shall be issued for a period of less than six months. Any person, firm or corporation found doing work in the city without such license shall be subject to a fine of one hundred dollars, and, in the discretion of the court hearing the case, may be imprisoned for a period not exceeding thirty days. (December 19, 1906.)

17. Every electrical contractor taking out the license required by the foregoing section shall give bond to the city of Richmond in the sum of one thousand dollars in some trust or guaranty company, acceptable to the city attorney, to indemnify and save harmless the city of Richmond as well as any other person from all expense and damage that may be caused by any negligence or defective or inadequate work done under their license, and where any electrical work has been done by an electrical contractor under this ordinance which shall be deemed defective by the city electrician, and who, after thirty days written notice from said electri-

cian, shall fail to revise or put said work in proper condition to the satisfaction of said electrician, then and in that case the principal and surety on said bond shall be liable for and shall pay so much on account of said bond as may be necessary in order to perfect such work, and shall also pay any and all damages which may be occasioned to any person by reason of such defective work. (May 14, 1906.)

18. All electrical construction and all material and appliances used in connection with electrical work, and the operation of all electrical apparatus within the limits of the city of Richmond, shall conform to the "Rules and Requirements of the National Board of Fire Underwriters" for the installation of wiring and apparatus for electrical purposes as they are now established, or may hereafter be amended; and the said rules and regulations are hereby adopted and approved and shall have full force and effect as if set forth in this chapter. (May 14, 1906.)

19. No repairs, changes or additions shall be made in or to wiring already installed in buildings without a permit therefor from the city electrician, nor shall any change be made in any isolated or private plant without first obtaining a permit from the city electrician. (May 14, 1906.)

20. It shall be unlawful, except as hereinafter provided, for any person or persons erecting scaffolding, putting up signs, altering or changing plumbing, repairing or painting buildings, or in any other way to cut, break or in any manner interfere with the arrangement of any electrical wires whatsoever inside or outside of any building under a penalty of not less than five nor more than ten dollars, each violation to be a separate offence. (May 14, 1906.)

21. Whenever builders or persons engaged in repairing, painting, putting up signs, repairing or altering plumbing, etc., find it necessary to remove, alter or change the location of wires on or in buildings in prosecuting their work, the owner of such building or the contractor engaged thereon shall serve the city electrician with written notice at least twenty-four hours before such contemplated work is begun, and it shall be the duty of said electrician to direct the owners of such wires to remove the same, and upon their failure so to do within forty-eight hours after such instructions, the obstructing or interfering wires may be removed by the contractor under the supervision of the city electrician. (May 14, 1906.)

22. On any pole of any electric light, power, street railway, telephone or telegraph company used jointly by two or more such companies, each company shall be allotted a special zone and shall confine its wires to that zone. Spaces shall be measured from the tops of poles downward, and the

uppermost zone on every pole shall be at all times reserved for the free use of city wires. (May 14, 1906.)

23. It shall be unlawful for any person, firm or corporation to increase the size of any fuse above the rated capacity of the wire which it is protecting in or on any building in the city of Richmond. (May 14, 1906.)

24. It shall be the duty of the electrical inspector, at suitable intervals, to make inspection of old work in the city of Richmond, and when defects are discovered in such work, to require the removal of the same and the installation to be brought up to a condition of safety within a reasonable time, the extreme limit not to exceed twenty days. (May 14, 1906.)

25. In any case of failure to comply with the provisions of this chapter the city electrician shall have authority, after due notice, to cut off lights or current in any locality concerned and to enforce discontinuance of same until said requirements are complied with, and any person violating any provision of the last foregoing ten sections, for which no specific penalty is imposed, shall be liable to a fine of not less than two dollars nor more than twenty-five dollars for each offence, recoverable before the police justice. (May 14, 1906.)

CHAPTER 33.

CONCERNING THE FIRE DEPARTMENT AND THE FIRE ALARM AND POLICE
TELEGRAPH.

(Memo—See sections 93 to 94 inclusive of the charter of the city of Richmond, concerning the organization, management and duties of the board of fire commissioners.)

1. The chief engineer, or in his absence the officer highest in rank, shall command the fire department. During fires and inspections he shall control all fire-plugs, maintain order among the firemen and bystanders, preserve property, command the city police, note and report to the police justice all violations of law or of the city ordinances, and do all things proper for the efficient operation of the department. He shall report annually to the mayor in the month of February the names and ages of the firemen, the number and localities of the fires which have occurred during the year, the cause thereof, if they can be ascertained, the names of the owners of the property destroyed or injured, the amount of such destruction or injury, the amount of insurance, the names of the insurance companies, and such other matters touching its operation and organization as he shall think proper. (Code 1899.)

2. If any person interfere with a fireman in the discharge of his duty, or loiter about the engine-houses, or if any minor or other person meddle with the engines, hose, or apparatus as hereinbefore mentioned, he shall be fined by the police justice not less than five nor more than twenty dollars. (Code 1899.)

3. The police of the city in the neighborhood of a fire shall obey the orders of the officer in command of the fire department. They shall carry the names and residences of the officers and firemen of the department in their district, and shall call them on an alarm of fire at night. And the police shall also have the alarm-bells at the police station and engine-houses rung for a reasonable time after an alarm of fire has been sounded, and occasionally during the ringing strike the number of the fire-station from which the alarm comes with such precision and distinctness that the firemen may readily understand the signal. The officer in command of the department in time of riot or insurrection, shall, on the

requisition of the mayor, assemble his department and assist the police of the city in restoring order or quelling insurrection. (Code 1899.)

4. Hereafter no person under twenty-one years of age, and who does not list for State or city taxes, shall be eligible to membership in the department, and hereafter no person shall be elected a member thereof unless he is a citizen of Richmond; nor shall any member be allowed to remove his residence beyond the corporate limits of the city. (Code 1899.)

5. The chief engineer or the officer in command of the fire department, whenever it is reported to him, or comes to his knowledge, that any building is in danger of being fired, either from carelessness of the owner or occupant, defective chimney, or other cause, shall, if he thinks there is good reason so to do, give notice to said owners or occupants, in writing, to connect the same within twelve hours thereafter, and if it is not done within the time specified he shall report the case to the police justice. (Code 1899.)

6. Should any person knowingly give or cause to be given any false alarm of fire by means of the fire-alarm telegraph, he, she, or they shall be subjected to a fine of not less than one hundred nor more than two hundred dollars, at the option of the police justice, to be recovered as other fines are recoverable. (Code 1899.)

7. Authority is hereby given to the mayor to offer a reward of one hundred dollars, or less, for the apprehension and conviction of any person or persons who shall knowingly give or cause to be given, any false alarm of fire by means of the fire alarm telegraph, or who shall unlawfully destroy, damage or deface any fire alarm box or police telegraph signal box. And if any person unlawfully destroy, damage or deface any fire alarm box or police telegraph box he shall, upon conviction thereof before the police justice of the city of Richmond, be fined not less than twenty nor more than one hundred dollars or be confined in the city jail not less than thirty days nor more than six months, or both so fined and confined, in the discretion of the court. (January 14, 1905.)

8. Hereafter, until otherwise ordered, all moneys received from the sale of fire alarm boxes and gongs shall be paid into the city treasury under warrant of the city auditor, and that the sums so received shall be put upon the books of both the city auditor and city treasurer to the credit of the board of fire commissioners, and drawn upon by them in payment of other boxes and gongs, when purchased by said board of fire commissioners. (Code 1899.)

9. During the progress of a fire the chief of the fire department be, and he is hereby, authorized to require any company, owning or using wires for the furnishing of electric lights to the city of Richmond, to cut off the electric current passing over said wires during said fire. Any

company failing to promptly obey such requirements whenever made shall be liable to a fine of not less than fifty nor more than five hundred dollars, to be imposed by the police justice of said city; and the failure to obey as to each wire shall be a separate offence. Upon failure of company owning such wires to obey promptly the requirements above mentioned, whenever made, the said chief is hereby authorized to have cut any such wires, however he may regard them as interfering with the proper management of a fire. Whenever the current shall be cut off as above mentioned or the wires cut, the city releases the said company from its obligation to furnish light until said current can be turned on or said wires mended or reconnected, nor will the city hold said company responsible for any injury or loss to person or property, which may occur while said current may properly remain cut off, or while said wires shall properly remain cut, whenever said loss or injury shall be caused by the absence of electric lights. (Code 1899.)

10. In all buildings of a public or semi-public character, including churches, schools, factories and office buildings, already erected or hereafter to be erected in this city, the halls, doors, stairways, seats and aisles shall be so arranged as to facilitate egress in cases of fire or accident, and to afford the requisite and proper accommodation for the public protection in such cases; and all aisles and passage ways in said building devoted to purposes of a public or semi-public use shall be kept free from camp-stools, chairs, sofas, persons standing in aisles, and other obstructions during any performance, service, exhibition, lecture, concert, ball or any other public or semi-public gathering, but the prohibition contained in the words, "persons standing in aisles" in this section shall not apply to persons standing or walking in the promenade space around the ring of the horse show building during the progress of any horse show exhibition. (March 11, 1907.)

11. The board of fire commissioners is hereby charged with the duty of inspecting, or of having inspected by a competent officer, all such buildings; they shall serve written notice to any owner or lessee of any building in which any violation of the provisions of the ordinance, or the rules promulgated, or to be promulgated, after the adoption of this ordinance, may be found to exist, and, if within ten days after the service of such notice, proper corrections have not been made in accordance with same, the person or persons guilty of the violation shall be reported to the police justice of this city. (March 18, 1904.)

12. The board of fire commissioners is hereby authorized and instructed to adopt and promulgate such rules and regulations as in the judgment of the said board may be deemed proper and necessary to provide for the

safety of life and limb in buildings in which any considerable number of persons gather. (March 18, 1904.)

13. Any person, firm or corporation violating any of the provisions of this ordinance, or who shall fail to correct violations in accordance herewith, after notice has been served by the board of fire commissioners, as required by section 11, shall be fined for the first offence ten dollars, and for the second offence twenty-five dollars, to be imposed and collected as other fines are under the law. Each day the violation exists after the fine has been imposed shall constitute a separate and distinct offence. But in the event that this ordinance is violated to such an extent as to cause the board of fire commissioners to have apprehension for the safety of the public, the said board is required to report the conditions existing to the mayor, who shall be empowered and authorized to close the said building to the public until such corrections have been made, and it is further the duty of the mayor to see that the provisions of this ordinance are carried out. (March 18, 1904.)

14. No person shall be allowed to open for public or semi-public use any building until a permit shall have first been obtained from the board of fire commissioners, which shall set forth that the terms of this ordinance have been complied with and that the building is properly equipped with reasonable and necessary means of escape in case of fire or accident. (March 18, 1904.)

15. The board of fire commissioners be, and they are hereby, requested to extinguish fires occurring from time to time on dumps located within the corporate limits in order to abate obnoxious and unhealthy odors emanating therefrom, created when any of said dumps are fired, and to prevent and protect property of citizens from possible damage. (December 7, 1905.)

16. The board of fire commissioners are hereby authorized and empowered to create the position of an additional operator in the fire alarm department, and to fix the salary for the said office at not more than one thousand dollars per annum. The committee on finance shall annually provide the sum of one thousand dollars for the payment of the salary of this additional operator in the fire alarm department, after the said position shall have been created, which sum shall be available for the purpose on warrants properly drawn and approved by the board of fire commissioners. (February 18, 1910.)

17. That the board of fire commissioners of the city of Richmond be, and they are hereby, authorized to render aid in the extinguishment of fire occurring beyond the limits of the city of Richmond, and they are hereby authorized and empowered to prescribe the rules, regulations and limitations under which such aid may be rendered. (January 15, 1904.)

CHAPTER 34.

CONCERNING THE PROPER CONSTRUCTION, MAINTENANCE AND USE OF ALL BUILDINGS USED OR INTENDED TO BE USED FOR ASSEMBLAGES OF ANY CHARACTER.

1. All buildings of a public character already erected or hereafter to be built, such as hotels, churches, theatres, school-houses, restaurants, railroad depots, public halls, and all other buildings used or intended to be used or occupied for assemblages of any character, shall be so constructed, arranged, and maintained as to facilitate egress in cases of fire or accident, and to afford the requisite and proper protection in such cases; and especially to this end shall all halls, doors, stairways, and aisles be conveniently planned and arranged and kept free of persons standing therein, and of camp-stools, chairs, sofas, and other obstructions. And every theatre, public building or hall, used for the purpose of giving any dramatic, musical, or other entertainment, shall be provided to the satisfaction of the chief of the fire department and city engineer with such a number of doors, opening outwards, as will furnish sufficient means of egress in case of fire. All of these doors shall be kept unlocked during the entire time that the building or hall is occupied, and shall be thrown open at the end of each performance to enable the occupants to pass out and familiarize themselves with the location of the various means of egress. (May 17, 1907.)

2. It shall be the duty of the city engineer, when required by the police justice, to make an examination as to the strength of any building referred to in the foregoing section, and to ascertain and report whether or not its plan of construction is in conformity with the provisions hereof; and it shall be the duty of the chief of police to see that all the requirements and provisions of this chapter are fully complied with, and to report any and all violations thereof to the police justice. It shall be the duty of the chief of the fire department to inspect all such buildings with reference to the facilities of egress in case of fire or accident, and to report any insufficiency therein to the police justice. And authority is hereby given to the city electrician to inspect and condemn any and all electrical wiring or equipment in said buildings. (May 17, 1907.)

3. The police justice, pending the trial on any complaint for a violation of the provisions of this chapter, may direct any or all of the officers

mentioned in the foregoing section to inspect the building referred to in such complaint and report thereon in regard to the matter referable to such officer or officers under the foregoing section. (May 17, 1902.)

4. Any owner, lessee, tenant, or manager of any such building or hall failing to comply with each and every provision of this chapter, shall be liable to a fine of not less than ten nor more than one hundred dollars, to be imposed and collected as other fines are under the law. Each and every day's failure to comply with any of the requirements of this chapter shall be deemed a separate offence. (May 17, 1902.)

5. The board of fire commissioners and the board of police commissioners are hereby required to see that the provisions of this chapter are strictly enforced by the chiefs of their respective departments. (May 17, 1902.)

6. It shall be the duty of the proprietor or manager of any public place of amusement or hall of exhibition in which there are fire-plugs, during performances or exhibitions in these buildings, to keep an employee in position near the fire-plug in readiness to use the hose attached thereto in case of fire. (Code 1899.)

7. The chief of the fire department, or any one of the assistant engineers, may enter any public place of amusement or hall of exhibition in this city at any time they may deem proper. The person keeping the door of any public place of amusement shall permit any of these officers to enter the building upon the exhibition of the officer's badge of office. Any person failing to promptly admit such officer shall be fined not less than five dollars nor more than ten dollars, and upon failure to pay said fine, shall be imprisoned in the city jail not less than five nor more than ten days. It shall be the duty of these officers to make any recommendations that they may deem for the public good concerning places of amusement, to the city council whenever they may think it necessary. (Code 1899.)

8. It shall be the duty of the city clerk to furnish the lessee, owner or manager of every public place of amusement or hall of exhibition with a copy of this ordinance, who shall keep the same posted in a conspicuous place near the door. (Code 1899.)

9. That every theatre, public building, or hall, used for the purpose of giving any dramatical, musical, or other entertainment to which the public is admitted, either upon payment of an admission fee or by invitation, shall be provided with a sufficient number of doors (satisfactory to the chief of the fire department), opening outwards, and leading to the ground, as will furnish sufficient means of egress for the occupants in case of fire. (February 17, 1900.)

10. All of these doors shall be kept unlocked during the whole of the time that the building or hall is occupied, and shall be thrown open at the end of each performance to enable the occupants to pass out and to familiarize themselves with the location of the various means of egress. (February 17, 1900.)

11. Any owner or lessee of any such building or hall failing to comply with each and every provision of the last foregoing two sections shall be liable to a fine of not less than ten nor more than fifty dollars, to be imposed and collected as other fines are under the law. Each and every day's failure to comply with the requirements of this ordinance shall be deemed a separate offence. (February 17, 1900.)

12. That the proprietor of each and every hotel or apartment house located in the city of Richmond shall install and maintain in good order, in a manner satisfactory to the superintendent of fire alarm and police telegraph, a fire alarm bell in the hallway on each floor, connected so as to be conveniently operated from the office of such building, to be sounded in case of fire occurring, or likely to occur in said building; and it shall be the duty of such proprietors by printed notices posted in each room of such buildings, and also at convenient and suitable places in each hallway of such buildings, plainly indicating the location of fire escapes; and between the hours of 6 o'clock P. M. and 6 o'clock A. M. of each day to locate and maintain a red light at the doorway or exit to the fire escape on each floor of said building to indicate such location. Any person violating the provisions of this section shall be liable to a fine of not less than \$25.00 or more than \$100.00. (November 14, 1902.)

CHAPTER 35.

CONCERNING STREETS.

1. The committee on streets shall convene as soon as practicable after their appointment, and as often thereafter as they may deem proper. A majority of the committee shall constitute a quorum for the transaction of business, unless otherwise expressly provided by ordinance. The chairman or any three of the committee may, at any time, call a meeting of the committee. (Code 1899.)

2. There shall be appointed by the city council an engineer for the city, who shall be a citizen of Richmond, and shall hold his office until his successor is appointed, or he be removed. He shall give bond, with the security required by ordinance, in the sum of five thousand dollars, with condition that he shall faithfully perform all the duties of his office, and that he will not, directly or indirectly, for himself or others, or by others in trust for him or on his account, have any interest in any purchase, lease, contract, or agreement made by the city. (Code 1899.)

3. There shall be three assistant engineers in the engineer department of the city, who shall be designated as first assistant, second assistant, and third assistant, and a clerk, all of whom shall be appointed by the city engineer, subject to approval by the committee on streets, who shall perform all the duties that may be prescribed for them by the engineer of the city.

a. There shall be in the office of the city engineer one bookkeeper and accountant, who shall be nominated by the engineer and elected by the committee on streets, and shall hold his position at the pleasure of the committee on streets, and shall receive as compensation for his services thirteen hundred and fifty dollars per annum, payable monthly, to be provided for in the same manner as all other salaries.

b. No one shall be eligible to this position who is not competent to do the work hereinafter required and keep the books and accounts by the system of double entry, or who has not filed certificates of competency satisfactory to the city engineer.

c. It shall be the duty of said bookkeeper and accountant to keep correct accounts of the general and special appropriations made to the department and of all expenditures made by the department, and his books shall always accurately show the expenditures on account of particular wards, and each particular contract or piece of work, or specially ordered

improvement; the subdivisions of the general appropriations which may be ordered by the council or the committee on streets, grounds and buildings or improvement James river; the expenditures on account of the several pay-rolls and the expense accounts of the three committees above named, and accurately the liability of the department on account of any and all contracts or contractors or other persons supplying labor or material. He shall test the accuracy of all accounts presented to the department for payment, and shall prepare, issue, and charge up all warrants therefor approved by the aforesaid three committees, and generally perform such other duties in connection with the office work as may be required of him by the city engineer. He shall also be the clerk of the committee on streets, and shall perform the duties of that position without additional compensation. The said bookkeeper and accountant shall give bond in the usual form in the penalty of two thousand dollars. (Code 1899.)

4. There shall be in the office of the city engineer one assistant bookkeeper and accountant who shall be nominated by the city engineer and elected by the committee on streets, and he shall perform such duties as the city engineer and the committee on streets shall require, and receive in compensation for his services the sum of six hundred (\$600.00) dollars per annum, payable monthly, as the salary of other city officers. (November 13, 1909.)

5. That the city engineer be, and he is hereby, authorized and directed, subject to the approval of the committee on streets, to appoint two additional assistant city engineers, who shall discharge such duties in connection with his department as may be imposed upon them by him or the committee on streets. The salary of said assistants shall be fifteen hundred dollars (\$1,500.00) per annum each, payable as other salaries are paid. They shall serve during the pleasure of the city engineer. Any vacancy occurring in said offices for any cause whatever may be filled in the same manner as the original appointments are made. (October 16, 1909.)

6. That the city engineer be, and he is hereby, authorized and directed, subject to the approval of the committee on streets, to employ a competent draughtsman and instrument man, and who shall be known as the fourth assistant engineer, and who shall discharge such duties as may be imposed upon him by the city engineer and the committee on streets and whose compensation shall be twelve hundred dollars per annum payable monthly, to be provided for in the same manner as other salaries. That there shall also be employed in the office of the city engineer a stenographer and typewriter, to be nominated by the city engineer and elected by the committee on streets, who shall discharge such other duties as may

be imposed upon him by the city engineer or the committee on streets, and shall receive as compensation for his services nine hundred and ninety dollars per annum, payable monthly, to be provided for in the same manner as other salaries. (March 16, 1905.)

7. That the city engineer be, and he is hereby, authorized and directed, subject to the approval of the committee on streets, to employ a competent draughtsman and instrument man who shall be known as draughtsman, and who shall discharge such duties as may be imposed upon him by the city engineer and committee on streets, and whose compensation shall be twelve hundred dollars per annum, payable monthly, to be provided for in the same manner as other salaries. (July 17, 1908.)

8. That the city engineer be, and he is hereby, directed, subject to the approval of the committee on streets, to employ a rodman who shall discharge such other duties as may be imposed upon him by the city engineer and committee on streets, and shall receive as compensation for his services, seven hundred and twenty dollars per annum, payable monthly, to be provided for in the same manner as other salaries. (July 17, 1908.)

9. The engineer for the city shall, by himself or by his assistants, for whom he shall be responsible, make all such surveys, plans, and estimates as may be required of him by the city council, or the committee on streets. It shall be his duty, under the direction and control of the committee on streets, to superintend the general state of the streets and culverts, and the laying out and repairing of the same, and report to the police justice all encroachments. He shall also furnish and establish, and it shall be the duty of the committees on light and water, respectively, and their respective superintendents to require of him all necessary profiles of, and grades, and locations for all gas and water mains laid or to be laid in the city or by its authority; and no gas or water mains shall be laid except in accordance with the profiles, grades, and locations furnished and decided upon by said engineer. Before the respective superintendents of the water and gas works shall excavate in or break open the road-bed, gutters, or sidewalks of any street for the purpose of laying or repairing water or gas pipes, or any other fixtures or things in connection therewith, it shall be the duty of said respective superintendents to report to the engineer, in writing, their intention in regard to the same. And whenever either of said superintendents shall so excavate or break open such road-bed, gutters, or sidewalks it shall be his duty to properly restore the same to its former condition as soon as practicable, and to keep the same so restored for the twelve months next thereafter. (Code 1899.)

10. The duties of the city engineer shall be the same within the city as those of a county surveyor in a county, as prescribed by the laws of the State. For any service performed by him in the city, by virtue of his office, he may charge the party at whose instance such service is performed, at the rate, for each hour necessarily taken by him, of one dollar and fifty cents for the first hour, and of one dollar for each succeeding hour so taken; and when he performs a service, the whole fee for which, at this rate, would be less than one dollar, he may charge therefor one dollar, instead of at the rate aforesaid. What is allowed in this section to the surveyor shall be deemed full compensation, not only for his own services, but also for the services of any chain-carrier or assistants that he may employ. (Code 1899.)

11. The engineer shall personally attend at his office a portion of each day, except when leave of absence may be granted him by the committee on streets; and his office shall be open daily except Sundays for the transaction of business from 9 o'clock A. M. to 4 o'clock P. M. He shall systematically arrange and keep in a fire-proof safe in his office the papers of his office not otherwise provided for. He shall keep a record of all his proceedings, and a set of books, in which shall be entered, under appropriate heads, the receipts and expenditures of his department. He shall also attend all meetings of the committee on streets, and have a record kept of their proceedings. (Code 1899.)

12. Annually, as soon as practicable after the last day of December, the engineer shall make a report to the committee on streets; containing a general statement of the expenses of his department during the preceding year; the amount expended on the various streets or other improvements of each ward; the cost of maintaining the city carts and hands; and such other information and suggestions as he may consider desirable; which report the said committee shall examine and submit to the city council, with such remarks as they may deem proper. (Code 1899.)

13. The engineer for the city, with the approval of the committee on streets, shall hire for the city such number of hands and teams and purchase such materials, horses, mules, carts, and tools as they may deem proper. Any sum or sums of money payable for any such purpose or hiring shall be paid upon a draft on the auditor, stating the amount to be paid and for what given, certified by the engineer of the city, and signed by the chairman of the committee on streets.

a. There shall be kept at the city stables, at the expense of the city, five horses and five vehicles for the use of the department of the engineer of the city.

b. The city shall not be divided into more than two working districts for hands and carts, and there shall not be more than one manager of hands and carts for each working district, who shall be appointed by the city engineer, subject to the approval of the committee on streets, which said committee shall have authority to fix the compensation of said managers of hands and carts.

c. The engineer for the city shall designate an assistant engineer in his department, whenever necessary, to superintend and inspect the construction or repair of sewers. (Code 1899.)

14. The committee on streets are authorized to expend all sums annually appropriated and placed to the credit of said committee for such improvements or repairs of streets, alleys, or for such construction or repairs of sewers as they deem advisable. But whenever any such work is to be done, at the expense in whole or in part of the owner of land abutting on such improvements, or when any such work requires any material change in the grade of any street or alley, no such work shall be done until duly authorized by the city council as hereinafter provided. (Code 1899.)

15. All contracts for work authorized by the city council or the committee on streets shall be signed on the part of the city by the chairman of the committee. The contract shall contain such provisions for security as the city council or said committee may direct. (Code 1899.)

16. The word "street" or "streets" shall be understood as including alleys, lanes, courts, public squares, and public places, and it shall also be understood as including the sidewalks, unless the contrary is expressed, or such construction would be manifestly inconsistent. (Code 1899.)

17. The engineer shall report to the committee on streets, and said committee to the city council, such grades or changes of grades of the streets and public alleys of the city as ought from time to time, in his opinion, or in the opinion of said committee, ought to be established, or made with such profiles thereof as may be deemed proper by himself, or as he may be directed by said committee to make. Any person intending hereafter to build or erect any house or other structure upon the line of any street or public alley, shall first obtain from the engineer for the city a certificate in writing of the line and adopted grade of such street at the place where such house or structure is to be erected; and it shall be the duty of the engineer to file with the city clerk a duplicate of the said certificate. If any person shall hereafter build or erect, or attempt to build or erect, any house or other structure, upon the line of any such street or alley, without having first obtained such certificate, he shall be fined not less than twenty nor more than one hundred dollars. (Code 1899.)

18. To designate the corners, widths, and lines of streets there shall be put or erected stones or posts at such place or places as the committee on streets may direct for that purpose. (Code 1899.)

19. Any person desiring to cross any sidewalk to enter any private alley on his or her premises, shall first obtain permission so to do from the committee on streets, and shall pave the sidewalk with granite, or such other materials as the committee on streets may designate, and shall cause the curbing to be placed upon a level with the top of the gutter. No person shall be allowed to place a bridge or any other obstruction in or over any paved gutter. Any person violating this section shall be fined not less than ten nor more than fifty dollars, each day's failure to remove said obstruction to be a separate offence. (Code 1899.)

20. All persons owning any lot, stable, carriage house, or place for the keeping, sale, use, or hiring of horses, or vehicles, or any place for the conduct of a business requiring or necessitating the crossing of any walkways by horses, wagons, carts, carriages, or other vehicles, shall, upon notice from the city engineer, pave the entrance or entrances to such places with granite, or such other material as the committee on streets may designate, to such a width and in such a manner as may be determined by the city engineer; and upon failure for thirty days after the notice aforesaid the said paving may be ordered by the council to be done at the expense of the owner of said lot in the mode hereinafter provided for the making of improvements at the expense of property owners. (Code 1899.)

21. Whenever any person shall be engaged in excavating in any street or shall be engaged in paving or other work upon any street for the city, or for any person, he shall place barriers sufficient to prevent a person or animal from falling into such excavation or from being injured by such work; and at night shall place a sufficient number of red lights near such excavation or work to give warning to persons passing near to or by such excavation or work. If he fail so to place such barriers and lights he shall be fined not less than five nor more than fifty dollars; and every night on which the failure continues shall be a separate offence. And when a person, by reason of an office under or a contract with the city, has to do paving or other work, directed or authorized by the city council, upon any public street, lane, or alley in the city, he may erect, set up, or place a rope, chain, or bars across any of said streets, lanes, or alleys which he is about to amend or repair, or in which he is about to execute such other work as may require this protection, to such an extent and for such a length of time as may be authorized by the committee on streets. And if any person or persons shall throw down or remove such rope, chain, or bars, or ride on, drive upon, or otherwise injure the said work,

or interrupt the workmen during its progress, every such person shall, for every such offence, pay a fine of not less than ten nor more than fifty dollars. (Code 1899.)

22. Any person engaged or about to be engaged in building, repairing, excavating, or making any improvements on a house or lot on which materials are used, or from which they are to be removed, may deposit materials in that part of the street or public alley opposite and next to his premises, on so much of the carriageway and the sidewalk as does not exceed one-half the width thereof, so that the use of the gutter be not obstructed. But where two persons are building or making other improvements hereby authorized opposite each other on the same street, each shall occupy but one-fourth of the street. And no such deposit of materials shall be made in a street so as to obstruct improvements which the city is making in said street. The city engineer may, on being satisfied of the necessity thereof, grant a special permit in writing, authorizing such materials to be deposited in a part of said street or alley opposite another's premises, on so much of the carriageway as aforesaid, or may authorize the deposit to commence earlier or continue longer than is hereinafter provided. But except by such permission, the deposit shall not be made in any case of small repairs more than one day, nor in other cases more than three days before the work is commenced; and the debris shall be removed and the street cleaned in case of small repairs, by the end of the first day, and in other cases by the end of the third day next after that on which the work is finished. And a person engaged in repairing or building a roof, wall, or chimney of a house on a street or public alley, shall place a covering sufficient to protect persons using such sidewalks and passing such building, roof, wall, or chimney, and as shall be satisfactory to the city engineer. But no work on nor preparation of materials for buildings shall be done within the limits of the streets, except when the committee on streets shall be of the opinion that it should be allowed because of the insufficiency of room on the lot or in the building being erected thereon. Any person depositing any materials, dirt, or any kind of rubbish in any street or alley under this section, shall, on and during each night that such materials, dirt, or other rubbish shall remain in such street or alley, properly place and keep in position sufficient lights to warn or give notice to persons using such street or alley of the presence of such materials, dirt, or other rubbish. Any person violating any requirement or restriction set forth in this section shall pay a fine of not less than five nor more than fifty dollars; each day's violation to be a separate offence. (Code 1899.)

23. No person or persons shall break or dig up, or assist in breaking or digging up, any part of any street, sidewalk, or alley or remove any

gravel, dirt, or manure therefrom, without having first obtained the written permission of the committee on streets, or the engineer of the city, or shall any city officer, employee, or contractor, or any other person, in laying gas or water piping, or in repairing the same, or in constructing or repairing culverts, or in making connections with city or private culverts, dig into or break up, or assist in digging into or breaking up, any street or public alley, without having obtained the written permission of the committee on streets or the engineer for the city, and the earth removed by such digging or breaking up, shall be returned and thoroughly rammed and consolidated, so as to place the street or public alley in the same condition it was before such digging or breaking up, to the satisfaction of the city engineer, and shall maintain such portion of such street or alley in such condition for twelve months. Any person failing to comply with this section shall be reported to the police justice by the city engineer and officers of the police force, and shall be liable to a penalty of not less than ten nor more than one hundred dollars—one-half to the informer; and in case of such failure by any officer or employee of the city, such penalty to be deducted from the amount next payable to him for services. (Code 1899.)

24. No person shall obstruct any street, or any part thereof, by placing therein any house, barn, shop or other building; and no person shall remove or draw, through or upon any street, any house, barn, shop, or other building, without the permission of the committee on streets. Any person offending against either of the provisions of this section, and any person who shall aid and assist in so offending, shall be liable to a penalty of not less than ten nor more than fifty dollars, and of a like sum for every twelve hours that the said obstruction shall continue, or that the said house, barn, shop, or other building shall remain in or upon any street. (Code 1899.)

25. The committee on streets shall not consider the application of any person, firm, or corporation, referred to it by the council, until such person, firm, or corporation shall file with the committee a certificate of the auditor of the city, showing that there has been deposited with him a bond or bonds of the United States, or of the city of Richmond, of the face value of not less than five thousand dollars, upon condition that the same is to be forfeited to the city in the event that the privilege or privileges, when granted by the council, shall not be accepted within the time stipulated by the council, but upon further condition that should such privilege or privileges not be granted, or should the same, if granted, be accepted, the said bond or bonds to be returned to the depositor. (Code 1899.)

26. No person shall water any of the streets within the city by or with a watering-cart, except under the direction and supervision of the committee on streets, nor without having first obtained written permission from the said committee, such sprinkling to be in accordance with and under such regulations as the said committee may from time to time prescribe, under a penalty of not less than five nor more than fifty dollars for each and every offence. No such permission shall be given for a longer period than one year at any one time, and the person or persons obtaining it shall pay the regular license tax imposed on carts, and such rates for the use of water as may be imposed by the direction of the committee on water. (Code 1899.)

27. That the width of sidewalks unless otherwise expressly ordered by the council of the city of Richmond shall be one-fifth the width of the whole street, as near as may be, and the height thereof shall conform to the grade established by the council of the city of Richmond; but nothing in the foregoing shall be construed to require the improvement of the whole width of the sidewalk, but only so much thereof, as is reasonably necessary for public convenience, considering its location and uses. (August 19, 1905.)

28. Hereafter when any granolithic pavement is laid, on any sidewalk in the city, all water and gas pipes which may be under said pavement shall be incased in terra-cotta pipe of suitable size, approved by the superintendent of the water and gas departments. The incasing of said pipe shall be paid for by the property owner or owners. (Code 1899.)

29. Doors to a cellar shall not extend on a sidewalk more than five feet; and whenever a cellar door is made or repaired (whether the cellar be old or new), the construction thereof shall be such that the door or doors when closed shall be level with the sidewalk. All hinges, bolts and locks to be on the underside, and in all such cases the door shall be of iron and the cappings, or caps, of granite. No balcony or bay window projecting over a street or alley shall be constructed, nor shall there be used any part of the sidewalk as an entrance to a cellar or basement, or as a coal vault, or area, unless by resolution of the city council or the committee on streets, who are hereby expressly authorized, in their discretion, to grant such permission, and then the doors to said cellar or vault shall be so made and kept in such manner as the resolution may prescribe. And in all cases in which any person shall desire to occupy any portion of a street or public alley for the purpose of getting into a cellar or basement, or into a house, or shall desire to construct a coal vault under a sidewalk or alley, or an area on a street or alley, or a balcony or bay window projecting over a street or alley, he shall apply to the committee on streets by petition in writing, and file therewith a plan show-

ing accurately how much of the walkway he proposes to occupy; and the petition and plan shall be referred to the city engineer, who shall examine the premises and report fully to the committee on streets everything which, in his opinion, should influence the judgment of the committee in their action upon the application. (August 18, 1906.)

30. Any person owning a house, in the use of which any part of a street or public alley is occupied, by permission of the city council or the committee on streets, for an area, vault, entrance to a basement, cellar, balcony or bay window, or to a house, or for any other permanent purpose, shall pay annually therefor, to the city a rent of six cents for each square foot. All new work shall be measured by the assessment clerk, who shall report the name of the property owner liable and the amount of the tax to the commissioner of the revenue, who shall charge the same upon the land books, to be collected and accounted for in the manner prescribed for the collection of city taxes. Vaults under sidewalks shall be made with a substantial brick or stone arch, which shall extend from the front wall of the house before which the vault is, no nearer than two feet, six inches, to where the inner edge of the curb-stone is, or will be, when laid down. The openings to the vault shall not be more than eighteen inches in diameter, and shall be level with the sidewalk, as it then is, but may afterwards be removed, if necessary, when the grade of the street is established or changed. It shall be secured with a cast-iron covering, fixed in a solid frame of stone or iron, which shall rest against the inner side of the curb and be so laid that the upper part of the frame shall be as nearly level with the pavement as it can be, consistently with the turning of the water from the opening; and it shall be secured with such bolt or weight as the engineer of the city may direct; and the person obtaining permission to make a vault shall have the same completed under the direction of the engineer of the city, within thirty days, unless further time is allowed by the committee on streets. (August 18, 1906.)

31. If any cellar, area, or vault constructed, or that may hereafter be constructed, under permission from the council or the committee on streets, shall not conform to the requirements of such permissions, the owner of the house to which the cellar, area, or vault, is attached shall pay a fine of not less than ten nor more than twenty dollars; and each day that the cellar, area, or vault shall not be as hereby required shall be a distinct offence. And the occupier of a house to which an opening to a cellar, area or vault is attached suffer the same to be open or unfastened at any time other than when it is open for putting something therein, or shall then suffer it to be open or unfastened longer than is absolutely necessary for that purpose, or if the owner or occupier of a house to which a vault or cellar is attached shall fail, in any respect, to

keep in safe and proper order the opening to such area, vault or the doors to such cellar (whether made heretofore or hereafter) he shall pay a like fine. The suffering a vault to be opened or unfastened as aforesaid, or the failure to keep in safe and proper order such opening or doors, shall be deemed a distinct offence for each day or night thereof. (August 18, 1906.)

32. No person shall construct or place, or cause to be constructed or placed any portico, porch, door, window, step, fence, or other projection which shall project into any street, or any gate which shall open outward over any sidewalk, under a penalty of not less than five nor more than fifty dollars for each offence, and a like penalty for every day that the said portico, porch, door, window, step, gate, fence, or other projection shall be continued as aforesaid after notice to remove the same. Wherever in any part of said city a street has been or shall hereafter be encroached upon or obstructed by a fence or other enclosure, or by any building or any part thereof, the owner or owners thereof shall remove the same to the proper line of said street when ordered by the committee on streets to do so. If such removal be not made within twenty days after notice of such order the owner or owners thereof shall be liable to a fine of not less than ten nor more than one hundred dollars; each day's failure to be a separate offence; provided, however, that nothing herein contained shall prevent the committee on streets from authorizing the placing upon the sidewalk of show cases of design and character satisfactory to said committee, upon condition that said show cases shall not encroach upon said sidewalk more than one-third of the width of said sidewalk, in no case, however, to exceed three feet; such privilege to be recoverable at the will of the committee, and upon the further condition that the applicant for said privilege shall sign an agreement to hold the city harmless for all damages that may result from said encroachment by said show cases. (May 14, 1906.)

33. Hereafter no awning shall be erected in the city except upon permission to be obtained from the city engineer in writing. All awnings shall be of movable suspended iron frames, projecting from the house front towards the curb line of the street a distance of six feet, and covered with canvas, extending below the frame not more than six inches, and, when erected, shall not be, at the lowest point, nearer than eight feet from the sidewalk, nor higher than the window sills of the second story. Any person putting up an awning in violation of this section shall pay a fine of not less than five dollars nor more than twenty dollars, and the awning and frame shall be removed by order of the police justice. All awnings heretofore or hereafter erected shall be subject to removal by order of the council of the city of Richmond. (October 13, 1899.)

34. No person shall, either in a street or upon any lot, put any stone, or brick, or any other solid thing, into a culvert or sewer, or shall in any way whatever injure, impair, or obstruct a culvert or sewer, or fixture thereof. Any person violating or failing to comply with any provision or requirement of this section shall be liable to a fine of not less than five nor more than one hundred dollars; each day's violation of or failure to comply with this section to constitute a separate offence. (Code 1899.)

35. All houses within the limits of the city now unnumbered shall have their proper numbers fixed upon their fronts. Any person desiring to have a number put on his house shall first apply to the city engineer for the proper number; and if any person shall have his house numbered without first applying, as above stated, and shall have the wrong number put thereon, and shall, when informed of the error by the city engineer and notified by him to have the correct number put on said house, fail for twenty days after receipt of said notice to make such correction, he shall be liable to a fine of not less than one or more than ten dollars; each day's failure to be a separate offence. And any person whose house has no number thereon, and who shall, when hereafter notified by the city engineer to put on said house the right number, fail for twenty days after receipt of such notice to make such correction, or put on the said number, shall be liable to a fine as above. (Code 1899.)

36. That hereafter any person or company applying for a privilege to occupy and use any street or portion thereof for any purpose whatever, shall, along with the petition asking for such a franchise or privilege, file a plan, or plans, and specifications showing the location, character, and extent of the proposed work, and how it would injure or effect the then condition and grade of the sidewalks, gutters, or roadbeds of the street or streets or alley or alleys proposed to be occupied, together with the ordinance which such person or company desires. No such petition, unaccompanied by the required plans or specifications and ordinance shall be considered by the council. (Code 1899.)

37. Whenever the council orders the grade of any street to be raised or lowered it shall be the duty of the city engineer, fifteen days prior to doing such work, to have written notice served on both the superintendent of light and the superintendent of the water-works of his intention to have said work done, and when said work will be begun.

a. The city engineer, the superintendent of light, and of the water works, respectively, shall report to each other the intended laying or repairing of sewers, gas and water-mains and pipes, not less than fifteen days prior to the doing of such work, and in case of traps not less than

five days prior to the doing of such work; provided, that in cases of emergency immediate notice only shall be required and given.

b. Each of the officers, notified as above stated, shall take all proper steps to have the sewers, mains, and pipes under his charge lowered, raised, or changed, if need be, at the time the work mentioned in such notice shall be done. (Code 1899.)

38. No person shall, within three feet of any street or alley, put or keep up any barbed or pointed wire as a part of any fence or wall; provided, however, that nothing herein contained shall prevent any one from putting such wire on the top of a wall or fence five feet high, when no part of such wire shall project over the line of such wall or fence into a street or alley. Any person violating any provision, restriction, or requirement of this section shall be liable to a fine of not less than five nor more than fifty dollars; each day's violation to be a separate offence. (Code 1899.)

39. No horse-rack shall be erected along the streets or alleys of this city, except of iron; the location and design of which shall be determined by the city engineer. (Code 1899.)

40. It shall be the duty of all railroad companies operating within the city of Richmond to provide and erect vertical arm-gates on such railroad crossing as the committee on streets may deem necessary; and, in like manner, to erect any other such gate, or gates, as the committee on streets may from time to time require, within ninety days from the date of such requirement; said gates to be of such pattern and erected in such manner as may be satisfactory to the said committee. It shall be the duty of said railroad companies, or any corporation, receivers, or individuals operating the same, to erect and maintain such gates, and to provide for the closing of the same at the approach of engines or trains so as to prevent accidents, and to have the same immediately opened when the engine or train has passed, so as to interfere as little as possible with public travel over said crossing. Each railroad company having and using any track, laid upon trestles or bridges across any street of said city, and above the grade thereof, shall, for the safety and security of persons passing, or property being carried thereunder, lay along and upon so much of each of said trestles or bridges as lies across and above any street such close and proper protection as will prevent the falling of ashes, coal, or other material upon such person or property near to or under the said bridge or trestle. Such protection shall be kept at all times in proper repair by the company owning the bridge or trestle. Any company failing itself, or through any of its agents or employees, to observe and perform each and every requirement and provision as to the erection and use of gates, or construction and repairing

of such protection to trestles or bridges, shall be liable to a fine of not less than ten nor more than one hundred dollars; each day's failure to be a separate offence. (Code 1899.)

41. In any case where a street or alley, as originally laid out or established, has been encroached upon by any building for a period of twenty years, the part of the street so encroached upon and actually occupied by said building shall not be reclaimed or taken possession of by the city for the purpose of a street or alley until such building shall be rebuilt or destroyed or removed, or until the front of such building shall be removed or rebuilt; but whenever a street or alley, as originally laid out or established, has been encroached upon by any building for a period of twenty years, and such building shall be rebuilt or destroyed or removed, or when the front of such building shall be removed or rebuilt, the part of the street so encroached upon and occupied by said building shall be reclaimed and taken possession of by the city as a public street or alley. (Code 1899.)

42. And it shall be the duty of the city attorney, when notified by the committee on streets that a building, which may have encroached upon a street for a period of twenty years, is destroyed or removed, or the front of such building removed or rebuilt, to institute in one of the appropriate courts of this city an action of ejectment against the owner or owners of such building to recover possession of the land claimed by the city to be a part of the public highway on which such buildings may have encroached. (Code 1899.)

43. Any person who, after any such building has been destroyed or removed, or the front of such building rebuilt or removed, which encroaches upon any street or alley of this city, shall retain possession of any part of a street or alley, as originally laid out or established, shall be liable to a fine of not less than five nor more than ten dollars for each day that such encroachment upon such street or alley, as originally laid out, shall be maintained by him. (Code 1899.)

44. That public convenience requires that the streets, alleys and public places dedicated to public use by reservation in a division or subdivision of lots of any portion of the territory within the corporate limits of the city of Richmond by plat or plan of record, or otherwise dedicated, to such use, shall be at once accepted by the city and the same shall be improved and opened to public use as the needs of the public require, and also that all encroachments upon any such street, alley or public place by any fence, building or otherwise shall be removed therefrom, and if such removal shall not be made within thirty days from the approval of this ordinance, the person or persons making such encroachment or allowing the same to remain for his use and benefit

shall be liable to a fine of not less than five dollars for each and every day that such encroachment is allowed to continue, recoverable before the police justice of the city of Richmond; and the committee on streets are hereby authorized and directed, upon the failure of any such person or persons to remove such encroachments, to have the same removed and collect from such persons all reasonable charges therefor with costs, by the same process that the city of Richmond is empowered to collect taxes. That the committee on streets be, and they are hereby, authorized to direct the city attorney to institute and prosecute all legal proceedings which may, in his judgment, be necessary or proper to recover possession of any part of a street or alley or other public place of the city which may now be, or which may hereafter be held or encroached upon by any person or persons and to which such person or persons lay claim, or from which street or alley such person refuses to remove any encroachment as required by this section. (February 14, 1908.)

45. That wherever the owners of two-thirds of the property abutting on any street shall, in writing, request the committee on streets to establish a building line on the side of the square on which their property fronts, the said committee shall establish such line so that the same shall not be less than five (5) feet nor more than thirty (30) feet from the street line, and upon the establishment of such building line it shall be the duty of the committee on streets to certify that fact to the building inspector of the city of Richmond, who shall record the same in a book in his office to be kept for that purpose, and no permit for the erection of any building upon such front of the square upon which such building line is so established shall be issued except for the construction of houses within the limits of such line. Any person constructing a building nearer to the street line than the building line established by authority of this section, shall be liable to a fine of not less than twenty-five nor more than five hundred dollars for each offence, recoverable before the police justice of the city of Richmond. (December 7, 1908.)

46. That the southern line of Broad street, between the western line of Foushee street and the eastern line of Adams street be, and the same is, hereby defined and established as follows, viz.:

The southern line of Broad street between the western line of Foushee street and the eastern line of Adams street shall run along and conform to the front line of the existing buildings on Broad street from the western line of Foushee street to the western line of the building owned by Junius B. Mosby, Esq., and from the northwestern corner of the said building of Junius B. Mosby, Esq., the said front line of the said building on Broad street shall be projected to the eastern line of Adams street; and the said front line of the said buildings on Broad street and the said

projected line shall constitute, and is hereby established as the true southern line of Broad street between Foushee and Adams streets; and Broad street between Foushee and Adams streets is narrowed so as that its southern line between Foushee and Adams streets shall conform to, and correspond with, the line so defined and established. The line so defined and established is shown on a plat filed in the office of the city engineer, and on a blue-print of said plat filed with the draft of this ordinance.

If all the buildings on said block between Foushee and Adams streets, on the southern side of Broad street, including those proposed to be constructed by Mrs. Helen P. Christian on her land at the corner of Adams and Broad streets, shall be hereafter destroyed, remodeled, or removed, so that a uniform building line can be established upon the entire block, then all the buildings on said block when rebuilt shall be placed upon the southern line of Broad street as originally laid out and established, notwithstanding anything herein contained. (June 18, 1906.)

47. It shall be lawful for the mayor, in accordance with the provisions of this chapter, in case of serious illness in any house, to authorize applicants to close the streets adjacent thereto by a rope stretched from curb to curb and displaying suitable warnings by day and a burning lamp by night. Upon application for this special privilege it shall be the duty of the mayor before proceeding to authorize the closing of any street, to require from a licensed practising physician a certificate in writing to the effect that the closing of the street is necessary and that the usual noise and confusion in the street would endanger the life of the patient. The applicant shall agree in writing to assume responsibility for any damage to person or property resulting from the closing of the street, and shall bind himself, or herself, by the acceptance of the privilege to save the city harmless from any damages which may accrue to any person injured in person or property by reason of the exercise of the privilege. Any person accepting a permit for this privilege shall by accepting and using the same be deemed to have agreed and bound himself, or herself, to attach to the rope and maintain, suitable warning signals by day and lights by night to prevent accidents to persons or vehicles using or attempting to use the closed street, and any person who shall exercise this privilege by permission who shall fail to erect and maintain suitable signals by day and by night, as herein required, shall be liable to a fine of not less than five nor more than twenty dollars, recoverable in the police court of the city of Richmond; each day's failure to be a separate offence. Permits granted under this section shall not be for a greater time than seven days, but may be extended in the discretion of the mayor upon a

further written certificate from the attending physician and a written request duly filed. (May 14, 1906.)

48. That no steam railroad company crossing any street of this city at grade shall obstruct such street by the passing or the standing of a train or trains for more than three minutes at any one time, and it shall be the duty of the chief of police to see that this requirement is not violated and to report to the police justice all violations thereof. Any railroad company violating the provisions of this section shall be liable to a fine of not less than ten nor more than one hundred dollars for each offence. (April 19, 1902.)

49. Any person employed in business in this city may put up a sign made in tin, which does not extend over the sidewalk more than three feet from his place of business, and is not less than ten feet above the sidewalk, and may in front of his business and next thereto, occupy with his goods one-third of the width of the sidewalk, but in no case to exceed three feet of said sidewalk; but he shall not suspend his goods or other articles so that they shall extend from the front of his house more than one foot towards the street; but nothing herein shall be construed to authorize such person to sell any goods or merchandise on the sidewalk in front of his store, and any person putting up a sign or occupying the sidewalk, or suspending his goods otherwise than is herein authorized, shall pay a fine of not less than one nor more than ten dollars for each offence, and the sign shall be removed by the police; and when a merchant or other person, after doing business on a street or public alley, declines such business and sells by auction his stock of goods, or when the property of a decedent, who at the time of his death, was a resident of the city of Richmond or county of Henrico is sold by his representative, or when property is sold under a deed of trust thereon, made by a person who, at the time of executing the said deed was such a resident, or when property is levied on in said city or county, and sold therein by an officer, under a warrant of distress, execution, or other legal process, or when property is sold under the judgment or decree of a court or magistrate, there may, on the day of sale, be occupied with such goods or property, one-third of the width of the sidewalk, but in no case to exceed three feet of said sidewalk, and a third of the carriage-way next to the house or other place of such sale; and when at the dock or a wharf an auctioneer sells a cargo, half of the sidewalk and a third of the carriage-way next thereto may be occupied with such cargo for three days and no more, unless the sale be necessarily postponed because of the weather, in which case the sale shall be within three days after the cause for such postponement shall cease, and the occupation shall be no longer than half an hour after sunset of the day on which the sale is made;

and when any auctioneer, or merchant licensed for that purpose has consigned to him fruit, vegetables, fish or other perishable articles, for sale, which are damaged by handling, and which can best be disposed of by immediate sale out of doors, half of the sidewalk and one-third of the carriage-way opposite the store of such person may be occupied one hour and a half for the purpose of making a sale of such perishable articles; provided, that no more than two of these last named sales shall be made by any person on the same day; and, provided, further, that nothing herein shall be so construed as to permit any decayed vegetables or other matter to remain for any time on said sidewalk or carriage-way; and any auctioneer, merchant or commission merchant, whose warehouse or place of business is on East Cary street, between Twelfth and Fourteenth streets, or on Thirteenth street between Main and Cary streets, has consigned to him for sale fruit, vegetables, fish, poultry and other perishable articles may occupy one-third of the width of the sidewalk, but in no case to exceed three feet of said sidewalk, and three feet of the carriage-way immediately in front of his said warehouse or place of business for the purpose of selling said articles; provided, he shall keep at all times a sufficient opening in front of his door for a wagon to load or unload, but the privilege of the use of the carriage-way hereby given shall not be exercised after 2 P. M. If any auctioneer or merchant, or any person in his employment, sell or offer for sale at auction, any personal property, which shall be in any part (either of the sidewalk or carriage-way) of a street or public alley, when he is not authorized by this section, he shall for every article there offered for sale by him, pay a fine of ten dollars. (April 16, 1906.)

50. That any person desiring permission to erect and maintain a sign in connection with his business conducted in the city of Richmond, which shall be suspended over or erected on any public street or alley or other public place otherwise than is provided by the foregoing section, shall present a petition in writing to the committee on streets, in which they shall set forth:

(1.) The exact location, material and character of the sign proposed to be erected.

(2.) That the owner or any subsequent owner of the property on which the sign is proposed to be erected will at all times keep said sign in proper repair, and make such repairs as the city engineer may at any time deem reasonable and proper for the safety of persons using the highway under the same.

(3.) That the owner or any subsequent owner of the property, erecting or maintaining any sign under this ordinance, will pay the city of

Richmond the rate fixed by ordinance for the maintenance of areas and vaults under sidewalks or alleys.

(4.) That the permission granted shall at any time be subject to amendment or revocation by the committee on streets or the council of the city of Richmond, and upon such revocation or amendment said applicant or any subsequent owner of said house will immediately conform to such amendment or revocation.

(5.) That the said applicant or any subsequent owner of the property, who shall maintain said sign, will indemnify, reimburse and save harmless the city of Richmond from any and all damages or costs that the city may be required to pay by reason of any person being injured or damaged in any way in property or person by the negligent construction, existence or maintenance of such sign.

(6.) That before any work is done under the permission hereby granted by said committee, the applicant shall obtain from the city engineer a written permit to do the work.

(7.) That for any failure to conform fully to the provisions and conditions set forth in said application the said applicant or any subsequent owner of said property shall be liable to a fine of not less than ten nor more than fifty dollars for each offence, recoverable before the police justice of the city of Richmond. (June 12, 1908.)

51. That the committee on streets be, and they are hereby expressly authorized and empowered, in their discretion, upon the presentation to them of a petition which conforms to the requirements of the foregoing section to authorize and direct the city engineer to grant a permit to the applicant presenting such petition, upon the terms and conditions hereinbefore set forth; provided, however, that the sign so authorized to be erected shall be located and constructed in a manner and with materials satisfactory to the city engineer, and the said applicant shall not be deemed entitled to erect, locate or maintain said sign until the location thereof, manner of erection and material thereof shall have been approved by the city engineer. Any person violating the provisions of this chapter or the terms set forth in the petition hereinbefore authorized to be filed with the committee on streets shall be liable to a fine of not less than ten nor more than fifty dollars for each offence, recoverable before the police justice of the city of Richmond. (June 12, 1908.)

52. That the owner of any lot abutting on any alley of the city may construct in the alley on which such lot abuts a manure vault of such dimensions as may be prescribed by the city engineer, the walls and bottom of said vaults to be of brick laid in cement mortar or of concrete construction, with granite coping, and covered with heavy iron doors, the work to be done in accordance with plans filed with the city engineer,

under his supervision and in a manner satisfactory to him, or instead of such manure vault the owner or occupier of any stable located on any alley in the city may locate in such alley immediately adjacent to his stable building a manure box of such dimensions and construction as may be authorized by the city engineer. (July 17, 1903.)

53. Any person desiring to construct a manure vault shall make application in writing for a permit to the city engineer, in which the applicant shall stipulate that he and those claiming under him will indemnify and save harmless the city from any accident, damage or injury to the property of the city, or damage to any person or property by reason of the improper construction or negligent maintenance of such vault, and also stipulating that when so required by the city, he will remove such vault, and under the supervision of the city engineer restore the alley to its former condition; and any person desiring to locate and maintain a manure box in an alley shall annually make application in writing to the city engineer for a permit therefor, in which the applicant shall stipulate that he will indemnify and save harmless the city from any accident, damage or injury to any person or property by reason of the location of such manure box in the alley or its negligent maintenance, and also stipulate that when so required by the city, he will remove such box from the alley. The deposit in such vaults and boxes shall be removed and the same cleaned and kept in a sanitary condition under such rules and regulations as may be prescribed by the board of health. Any person violating any of the provisions of this section or constructing or maintaining a manure vault or box in any alley of the city otherwise than herein provided, shall be liable to a fine of not less than two nor more than ten dollars, and each day's continuance of such illegal vault or box shall be deemed a separate offence. (July 17, 1903.)

54. That it shall be the duty of the committee on streets to adopt rules and regulations whereby the hands and carts belonging to the street department may be employed when needed to aid in the removal of snow from the streets of the city of Richmond. (March 21, 1905.)

55. That the name of the committee on streets and Shockoe Creek be, and the same is hereby, changed to the committee on streets, and all the duties imposed by any ordinance or resolution heretofore adopted by the council of the city of Richmond, or the committee on streets and Shockoe Creek, shall be imposed on and discharged by the committee on streets. That the improvement of all water courses or streams within the limits of the city of Richmond, other than James river, shall be under the control of the committee on streets. (November 11, 1904.)

CHAPTER 36.

CONCERNING WAGONS, DRAYS, CARTS AND HACKS.

1. No wagon, dray, cart, hack, or other wheel carriage shall be kept or employed in the city for hire, directly or indirectly, unless the owner or keeper thereof obtain a license therefor, as hereinafter mentioned. The time for which the license is issued shall be until the first day of February next following the date thereof. Before such license is issued the applicant shall give bond in the sum of three hundred dollars, payable to the city of Richmond, with surety approved by the auditor, conditioned that all articles entrusted to the owner, keeper, or driver of any such vehicle, and all persons taken in or upon the same, shall be faithfully transported and delivered. On every such bond suits may be brought, from time to time, in the name of the city, for the benefit of any person injured by any breach of the condition, as often as any such breach may be alleged, until damages shall be recovered for such breaches equal to the penalty of the bond. And a like license shall be taken out by the owner of any wagon, dray, or cart which is employed on any streets of this city in the business, or for the private use or benefit of such owner, unless the same be exclusively employed in transporting fuel, provisions, manure, or other things to be used only at the owner's farm or dwelling. (Code 1899.)

2. Before issuing such license, there shall be paid to the treasurer the tax required by the twenty-fourth section of chapter fifteen. The auditor may issue such licenses for the unexpired portion of the year, at a ratable proportion of the tax: provided, that the same shall not be less than for a license for three months. But no such license shall be issued for a cart or wagon employed in transporting wood, coal, or coke, unless the applicant shall produce a certificate from the inspector of carts and wagons, and the license tax shall be in lieu of general property tax on all vehicles so licensed. (Code 1899.)

3. The auditor shall furnish to the owner or keeper of every licensed vehicle a painted sign, showing the number of the vehicle and the year for which the license is issued, and the same shall be conspicuously placed by the owner or keeper on each side of the vehicle, or on each of the outer sides of the harness attached to the vehicle. And in case of the loss or destruction of said sign, the said licensed owner or keeper, upon the certificate of the police captain of the police district in which the

vehicle is kept, that he is satisfied, after personal and thorough examination, that the said sign is permanently lost or destroyed, may obtain from the auditor a duplicate of the said sign. (Code 1899.)

4. Any person who shall keep or employ in this city a wagon, cart, dray, hack, or other wheeled carriage without a license therefor, when a license is required to be taken out for it, or who shall fail to have the painted sign thereon, or on the harness attached thereto, as required by this chapter shall pay for every such offence a fine of not less than one nor more than twenty dollars; and each day that the same shall be so kept or employed shall be deemed a distinct and separate offence. (Code 1899.)

5. The unexpired term of any license granted under this chapter may be transferred, by assignment on the back thereof by the person to whom it was issued, provided that the assignee of such license shall execute the like bond as was required of the assignor, and then a new license shall be issued to the assignee for the unexpired term of such license, who shall cause a painted sign to be placed thereon, in the same manner and under the same penalty for failing so to do as if the original license had been granted to him. (Code 1899.)

6. Whether a vehicle be licensed or not, neither coal nor dirt shall be transported therein unless it be so tight and have such a tailboard thereon as will prevent the waste of the coal or dirt. For every violation of this section there shall be a fine of ten dollars. (Code 1899.)

7. The person for whom a load is carried shall be charged therefor no higher rates than are allowed by this chapter, and shall pay these rates, or sign a ticket expressing the place from which and to which the load is to be carried. Any person refusing to pay such rates or sign such ticket, and the owner or keeper of a vehicle who, or whose driver, charges a higher rate, shall for every such offence pay a fine of five dollars. A like fine shall be paid for refusing to carry a load or part of a load, when not engaged; and the burden of proof of such engagement shall be upon the owner of the vehicle; but in such case the proper charge for carrying shall be paid, if demanded, before taking on the load. (Code 1899.)

8. The charge for a load on a wagon, dray, or cart shall be as follows: For carrying it five squares or less, twenty-five cents; and for each square over five, two cents additional. (Code 1899.)

9. The charge for the use of a hack or other wheeled carriage kept for hire, shall be as follows: For carrying a person therein not more than ten squares, fifty cents; and for each additional square, five cents: provided, that the whole charge for carrying one person to any part of the city shall not exceed one dollar. The charge for carrying not more than four persons shall not for the whole exceed one dollar and fifty

cents, unless more than one hour be employed, and shall then only be one dollar and fifty cents for the first hour, and fifty cents for each succeeding hour. The charge for a hack to attend a funeral procession shall not exceed three dollars and fifty cents; and no charge shall be made for children under three years of age. For carrying persons between ten o'clock at night and daybreak, an additional charge of one-half the above rates may be made, and no more. For baggage, the charge shall be twenty-five cents for each trunk carried outside, and nothing shall be charged for any article carried inside or for any carpet bag or basket. (Code 1899.)

10. A copy of the rates for hacks and other wheeled carriages shall be kept by the driver of every such hack or carriage, and he shall exhibit the same whenever called for by any person employing or using said hack or carriage. And if he shall fail to exhibit the same when so required, or if for carrying a person or baggage there be charged more than is allowed by this chapter, the owner or keeper of the vehicle, for every day of such failure, or for every time of such charge, shall be fined not less than five nor more than twenty dollars. (Code 1899.)

11. If any person desiring the use of a hack or any public vehicle kept for the purpose of taking persons, for hire or compensation, from one place to another within this city, shall tender or engage to pay the owner, keeper or driver of such hack or vehicle the proper charge, according to the rates established by this chapter, for the use and service thereof as required, and the owner, keeper or driver shall fail or refuse to render the service so required, he shall be fined not less than ten nor more than twenty dollars, unless the keeper, owner or driver of such hack or vehicle shall, upon summons or warrant, appear and by proof show good cause to the contrary; and no prior engagement of the use or service of such hack or other public vehicle shall be taken as good cause for such failure or refusal, unless upon the trial of the offender he shall make it manifestly appear with whom the prior engagement was made, and the place to which the said hack or such other vehicle was engaged to go, and there was not, by the use of ordinary diligence, time to render both services: provided however, that between the hours of ten o'clock P. M. and daylight, when his horses are put up in the stable, he shall not be compelled to bring them out; but if he does consent to carry the person or persons calling upon him, he shall do so at the rates fixed in this chapter, under the penalty aforesaid. (Code 1899.)

12. The mayor shall, from time to time, designate such place or places as he shall deem proper, at which hacks or other carriages may stand waiting for employment. The owner or driver of any hack or other carriage which shall stand waiting for employment at any other time or

place than shall have been designated by the mayor, shall be fined not less than five nor more than twenty dollars for each offence. (Code 1899.)

13. The mayor is hereby authorized to make regulations and give directions respecting the places or positions to be occupied by hacks or carriages at the public stands, theatre, or other place of public entertainment, when they may be attending for passengers, and the route they shall go when going to or returning from any such place, and every policeman on duty shall be specially charged to enforce this ordinance; or if any owner, driver, or other person having the care of any such omnibus, hack, carriage, or other vehicle, shall refuse to obey such regulations or directions, or otherwise violate any of the provisions of this section, he shall be liable to a fine of not less than five nor more than twenty dollars for each offence. (Code 1899.)

14. That on and after May 1, 1911, it shall be unlawful for any person to drive or permit to be driven by his agent or employee any wagon, dray or other vehicle carrying or designed to carry loads of merchandise or commodities of greater weight than 2,000 pounds, unless the tires of the wheel of such vehicle shall be of a width of not less than the following:

(a) For a four-wheel vehicle, drawn by four or more horses, four inches;

(b) For a four-wheel vehicle, drawn by two horses, three inches;

(c) For a four-wheel vehicle, drawn by one horse, two inches; and

(d) For a two-wheel vehicle (carts), drawn by one or more horses, three inches. Any person violating the provisions of this section shall be liable to a fine of not less than two nor more than ten dollars for each offence recoverable before the police justice of the city of Richmond. (April 16, 1910.)

15. The load for single carts shall not exceed two thousand pounds. The load of single drays or trucks, shall not exceed two thousand two hundred and forty pounds, and their width of tires shall not be less than two inches. The load for double carts, drays, or trucks shall not exceed four thousand and five hundred pounds, and their width of tires shall not be less than two inches. Three or four-horse wagons or trucks shall carry a load not exceeding six thousand pounds. Railroad cars, unless moved upon permanent or shifting tracks, shall pass over the streets upon eight wheels with flat tires not less than six inches wide, or upon four wheels with tires not less than ten inches. Portable engines exceeding ten thousand pounds shall be moved on four wheels with tires not less than six inches wide, locomotive and stationary engines and heavy ordnance exceeding five tons shall be moved on four wheels having

tires not less than six inches wide. Any piece of machinery or other indivisible article shall be transported upon wheels having tires corresponding in breadth to the weight of the piece of machinery or article in the ratio specified for cars, engines or ordnance. The owner of any cart, dray, truck, or wagon, and the manufacturer or transporter of any cars, engines, machinery, or other article who shall fail to comply with the restrictions imposed by this chapter shall, for every such offence, be fined not less than five nor more than twenty dollars, and, upon failure to pay said fine shall be confined in the city jail not less than one nor more than thirty days: provided, however, that where it appears that the load being carried by any cart, wagon or other vehicle though it exceeds the limits hereinbefore prescribed, is not in fact excessive, considering the weight and strength of the team, and the route over which such load is to be carried, no fine shall be imposed.

Nothing in this section shall apply to the vehicles used by farmers or others living in the country, coming into the city with produce to sell. (November 13, 1909.)

16. That it shall be unlawful for any person to drive or permit to be driven, by his agent or employee, any wagon, dray or other vehicle carrying or designed to carry loads of greater weight than 1,000 pounds of merchandise or other material, along or over any part of a street which is paved for a distance of more than three squares with sheet, asphalt, asphalt blocks or other smooth paving material, where the next street parallel thereto is paved with cobble-stones, granite, vitrified brick or is of macadam construction, except for the purpose of receiving or delivering merchandise or other material on the same square so paved with sheet asphalt, asphalt blocks or other smooth pavement, and for the purpose of such delivery or reception, such wagon, dray or other vehicle shall not be driven on such street a greater distance than one square. Any person violating the provisions of this section shall be liable to a fine of not less than two nor more than ten dollars for each offence. (January 21, 1907.)

17. That it shall be unlawful for any person to drive or permit to be driven, by his agent or employee, any four-wheeled wagon or other four-wheeled vehicle carrying or designed to carry commodities of greater weight than two thousand (2,000) pounds along or over any of the streets of the city of Richmond unless such wagon or other vehicle shall be provided with a suitable and adequate brake, by means of which the driver of such wagon or vehicle can check its headway while descending heavy grades in the streets. Any person violating the provisions of this section shall be liable to a fine of not less than two nor more than ten dol-

lars for each offence, recoverable before the police justice of the city of Richmond. (February 18, 1910.)

18. If any owner or driver of a wagon, dray, or cart, whether licensed or not, shall permit his horses, mules, or other animals by which the same is drawn, to go in a street or alley, public or private, or in the grounds of any public park or square belonging to the city, faster than a walk (except that any vehicle having springs may be drawn at a rate of speed not exceeding five miles per hour); or shall feed or permit his horses, mules, or other animals to be fed in any street or public alley; or if any person run a horse-race, or cause the same to be run, or shall ride or drive a horse or other animal at a greater speed than six miles per hour in any street or alley, public or private, or in the grounds of any park or square belonging to the city, he shall be fined not less than one nor more than fifty dollars, and on failure to pay said fine shall be confined in the city jail for not less than five nor more than thirty days. (Code 1899.)

19. No person shall tie or fasten a horse or other animal to any tree, or to any box or case around such tree, in any street of the city or upon any sidewalk, or lead or ride a horse or mule or drive a wagon, dray, cart, or other vehicle upon a sidewalk, unless across such part thereof as is or shall be at the time paved with stone or flagging. Any person violating this section shall for each offence, be fined not less than two nor more than ten dollars. (Code 1899.)

20. If any owner or driver of a wagon, whether licensed or not, shall, in a street or public alley which is paved, drive such wagon with a wheel locked, or if any owner or driver of any wagon, hack, dray, or cart, whether licensed or not, shall wantonly crack his whip to the annoyance of others, or suffer his vehicle, when not receiving or discharging a load, to pass or stand upon a street or public alley without holding the reins in his hands, every such offender shall, for each offence, pay a fine of not less than two nor more than twenty dollars, and upon failure to pay such fine, shall be confined in the city jail not less than five nor more than twenty days. (Code 1899.)

21. The driver of every vehicle whether propelled by muscular power, or otherwise, meeting another vehicle in a street or public alley shall drive to the right hand, so that each may pass the other without interference, and any such vehicle overtaking another vehicle shall pass to the left of the vehicle overtaken, and in order that all vehicles on each side of the street shall be headed in the same direction, as far as practicable, all drivers are required to turn, if necessary when stopping at the sidewalk, so that the sidewalk will be on the right of the driver when the stop is made; and no vehicle shall stop or be left in front of the entrance

to an office building, theatre, hotel, department store or other entrances to places of congestion, for a longer time than is sufficient to deliver the occupants or goods intended for such building, and the driver in charge of such vehicle shall move up promptly to permit others to arrive for like purposes. In no instance shall the driver of a vehicle stop the same in the middle of a street or public alley, or opposite an intersecting street or alley, or upon any granite crossing, but he shall always stop the same as near to the sidewalk as he can without being on it. Any driver violating this section, as well as the owner of the vehicle, when such violation is done with the consent of the owner, shall for each offence be liable to a fine of not less than five nor more than twenty-five dollars for each offence, recoverable before the police justice of the city of Richmond. (July 19, 1910.)

22. Any officer of the police of the city may order any vehicle standing in the streets to be removed as may seem to him most convenient for persons passing by. If a driver shall fail to obey such order the owner of the vehicle shall pay a fine of five dollars. (Code 1899.)

23. For any offence against the eighteenth, nineteenth, twentieth, twenty-first or twenty-second sections of this chapter, committed in the presence of any police officer of the city, he may arrest the offender and take him forthwith before the police justice. Such officer may pay twenty-five cents for the safe-keeping of the vehicle or animal during the absence of the driver or owner, and what is so paid shall be included in the costs, if any, recovered against the offender. (Code 1899.)

24. Livery-stable keepers shall not be allowed to have exceeding three vehicles at a time in any street for the purpose of washing them—the same to be removed as soon as washed. Said vehicles to be placed parallel with the street and next to the curbstone, and no vehicles will be allowed to be parked in front of any livery stable. Horses shall not be allowed to be led from livery stables across the walkway to be watered from tubs in front of stables. For every violation of this section the offender shall be subject to a fine, to be imposed by the police justice, of not less than one nor more than ten dollars. (Code 1899.)

CHAPTER 37.

CONCERNING BICYCLES, AUTOMOBILES, LOCOMOBILES AND OTHER LIKE VEHICLES.

1. Any person who shall ride any bicycle upon any of the sidewalks of this city, shall be subject to fine of not less than five dollars nor more than ten dollars for each offence. (Code 1899.)

2. No person shall hereafter ride a bicycle in any park or public square of the city of Richmond except upon the roadways intended to be used by persons riding or driving, and then at a rate of speed not to exceed six miles an hour. Any person violating this section shall be liable to a fine of not less than two nor more than fifty dollars. (Code 1899.)

3. On the front of each and every bicycle ridden in this city, between dark and daylight, there shall be carried a lighted bicycle lamp. Any person violating this section shall be liable to a fine of not less than one dollar, nor more than five dollars, provided that this section shall not apply to the bicycle police of the city. (November 16, 1907.)

4. No person shall put or place, or cause to be put or placed, in or upon any street in this city, any glass, crockery, scrap iron, nails, tacks, or any other articles which would be liable to injure or damage the tires or wheels of bicycles or any other vehicles which have wheels with rubber or pneumatic tires, or put or place, or cause to be put or placed, upon any pavement in this city, any banana skins or other fruit skins. Any person violating the provisions of this section shall be liable to a fine of not less than one nor more than twenty dollars for each offence, to be imposed by the police justice of Richmond. (Code 1899.)

5. Every person over ten years of age is prohibited from riding a bicycle or tricycle on any sidewalk or footway in any highway in the city, or in a public park or square of the city, within or without its limits; from riding at a greater rate of speed than eight miles an hour when turning a corner, or more than ~~ten miles an hour~~ at any other time; from riding crosswise or curving to and from on any such highway or footpath; from riding without having his or her feet on the pedals, and proper control of the machine with his or her hands; from riding with more than two other persons abreast.

6. Every person shall pass to the right of any vehicle going in an opposite direction, and pass to the left of a vehicle going in the same direction.

c. A person on horseback, or the driver of any vehicle, shall ride or drive to the right when meeting a bicycle or tricycle, and to the left when going in the same direction.

d. The word vehicle, as used in this ordinance, shall be construed to include a bicycle or tricycle.

e. Any person violating any provision or requirement of this section shall be liable to a fine of not less than two nor more than one hundred dollars. (Code 1899.)

6. (1) It shall be the duty of any person or persons other than transient tourists not remaining in the city of Richmond more than forty-eight (48) hours, owning any automobile, locomobile or other like vehicle or carriage which is propelled by steam, electricity, gasoline or any motive power other than animal power, or motor tricycle or motor bicycle, intended to be run along, over or through any street, alley, park, or other public place in or belonging to the city of Richmond, to first secure from the chief of police of the city of Richmond a written permit therefor. (July 22, 1905.)

(2) It shall be the duty of the chief of police to examine the vehicle for which permit is applied, and, if in his judgment the said vehicle can be run upon the streets, alleys, parks and other places of the city of Richmond with due regard to the safety of the public, he shall issue a permit therefor, and shall register such vehicle in a book to be kept by him for that purpose, which registration shall show the name of the owner, the character of the vehicle, as to its capacity, horse power and the motive power by which it is to be propelled, and the number assigned by him to such vehicle. (July 22, 1905.)

(3) The number so assigned to the vehicle by the chief of police shall be conspicuously displayed upon the front and rear of such vehicle in figures not less than four (4) inches in height, securely fastened thereto, and so lighted at night as to be plainly discernable. (July 22, 1905.)

(4) It shall not be lawful for the owner of such vehicle to allow to be run, or for any person or persons (other than transient tourists as heretofore described) to run or propel any such vehicle along, over or through any street, alley, park or other public place in, or belonging to the city of Richmond, until said vehicle has been first so registered and numbered as aforesaid. (July 22, 1905.)

(5) It shall not be lawful for the operator, owner, conductor, driver or occupant of any such vehicle, whether registered or not, to propel the same, or allow the same to be propelled along, over or through any street, alley, park or other public place in or belonging to the city of Richmond at a greater rate of speed than fifteen miles per hour. (May 17, 1910.)

7. The operator, owner, conductor, driver or occupant of any such vehicle, or the rider of any such motor bicycle or triycle, shall keep a careful lookout ahead for the approach of horseback riders or vehicles drawn by horses or other animals, shall check speed, keep his vehicle, bicycle or triycle, as the case may be, under thorough and careful control, give ample roadway to such rider or occupant of such vehicle, or if requested shall immediately bring his machine or vehicle, bicycle or triycle, as the case may be, to a full stop and allow ample time to such rider or vehicle to pass. (July 22, 1905.)

8. When the operator, owner, conductor, driver or occupant of any such vehicle or machine, or the rider of any such bicycle or triycle, as is described in the first section, overtakes a horse or vehicle traveling in the same direction with himself, he shall slow down his speed, signal for the road by bell, horn or gong, and if the other vehicle stops, shall pass at a rate of speed not greater than four miles per hour. Should the vehicle or traveler not stop, and the said operator, owner, conductor, driver or occupant of such vehicle, or rider of any such bicycle or triycle desire to pass, he shall do so at a rate of speed not greater than may be necessary, and shall in all cases use due diligence and care not to frighten the horse or horses. (July 22, 1905.)

9. Any person violating any of the provisions of the foregoing sections, for which no specific penalty is named, shall be fined not less than ten nor more than one hundred dollars for each offence, the same to be recoverable before the police justice of the city of Richmond; and upon the third conviction of violation of the section in regard to speed, the permit of the owner of said vehicle shall be revoked, and no new permit shall be issued to said person within six months thereafter. (July 22, 1905.)

10. It shall be the duty of the several police officers of the city of Richmond to report all violations of this chapter which may come under their observation, to the police justice of the city of Richmond. (July 22, 1905.)

11. That all automobiles operated on the streets of the city of Richmond, other than automobiles belonging to or used by transient tourists not remaining in the city of Richmond more than forty-eight hours shall be properly equipped with some standard horn or other signaling device to give warning of the approach of such vehicles, to be selected and approved by the chief of police of the city of Richmond; and it shall be the duty of the chief of police to select a suitable horn or signaling device, of which selection he shall give notice by a circular letter addressed to all persons owning automobiles licensed under the laws of

the State or of the city of Richmond. It shall be unlawful for the owner of any automobile to allow his automobile to be operated on the streets of the city of Richmond without being provided with such horn or signaling device, and it shall likewise be unlawful for any driver or chauffeur to operate on the streets of the city of Richmond any automobile not so provided with such signaling device, nor shall any owner allow or any chauffeur use any horn or signaling device in connection with the operation of any automobile on the streets of the city of Richmond other than that so to be approved by the chief of police, and the opening of "mufflers" on automobiles while on the public streets is hereby prohibited. Any person violating the provisions of this section shall be liable to a fine of not less than ten nor more than fifty dollars for each offence, recoverable before the police justice of the city of Richmond. (August 13, 1910.)

CHAPTER 38.

CONCERNING STREET RAILWAYS.

Contracts for the privilege of running railway passenger cars on the streets of the city of Richmond shall be subject to the following terms, provisions, conditions, restrictions, and limitations, viz.:

1. The contract shall prescribe specifically the streets in which the said railways may be laid down and the passenger cars may run, and the termini, in each street, of said railway, and to which the cars may run; and no part of the said work shall be changed without the consent of the city council. The said contracts shall state what part of the railways mentioned therein shall be with a single and what with a double track, and if with a single track, where the sidings shall be located. (Code 1899.)

2. If, after a single or double track has been prescribed for any part of a railway authorized to be constructed, the company or corporation shall desire to change it, or any part of it, in that respect, they may apply to the city council to be authorized to make the said change. And upon such application the city council shall proceed as is prescribed in the first section; and their act shall, as to the subject to which it refers, have the same binding effect upon the company or corporation, upon their accepting the same, as is prescribed in said section. (Code 1899.)

3. The said railways and the track thereof shall be constructed on the most approved plan, and the same shall be approved by the engineer of the city before the construction thereof is commenced. And the said railways and tracks shall be constructed under the supervision of the said engineer, who shall see that the same is properly done; and if he shall be of the opinion that the same is not properly done according to the plan approved by him as aforesaid, he shall stop the construction thereof. But the said company or corporation may appeal from the decision of the engineer to the city council, and the parties shall be governed by the decision of the city council upon the question. The said railways and tracks shall be so constructed and laid down as not to impede or obstruct the full flow of water across the streets or down the gutters thereof, and shall conform to the grades of the several streets through which they pass, as the said grades are now or may be hereafter established. And if the company or corporation shall afterwards desire to extend their railway and cars into another street, they shall apply to the city

council, stating specially the streets or street into and along which they propose to extend their railway and cars, the points at which they propose to connect with their then existing railway, if the same shall connect therewith, and in any case the points in each street between which they propose to carry their railway and run their cars; and the city council, at any of its regular meetings, or at a meeting adjourned or called for the purpose, and of which purpose the members shall have notice, may grant the application to extend the railway and run the cars as specified in the application, or may grant the application in part. But no such application shall be acted on without a reference thereof to the committee on streets, and until the same is reported upon by them, nor shall their report be finally acted on at the meeting of the city council at which it is made. And the city council may prescribe such additional terms, conditions, and restrictions, to the granting of the said application, as they may deem expedient; and the same shall be binding upon the said company or corporation, if they shall accept the privilege of so extending their railways and running their cars. (Code 1899.)

4. Each motorman of a street railway car shall keep a vigilant watch for all teams, carriages or persons, especially children, and shall strike a bell or gong several times in quick succession on approaching within 100 feet of such team, carriage, or person. After the striking of such bell or gong, any person in charge or control of such team or carriage, moving or being driven upon tracks used by said car, shall immediately take proper steps, either by lawful increase of speed or by turning off of said tracks, to prevent obstructing or impeding the running of such car. Nor shall any person in any other manner improperly or unreasonably obstruct or impede the running of any such car. Any person loading or unloading a vehicle, so placed as to obstruct or impede the running of any such car upon the railway tracks, shall upon the striking of the bell or gong as aforesaid, remove the said vehicle immediately, unless in the act of loading or unloading, in which case he shall proceed with all reasonable haste to load or unload said vehicle, and remove the same, so as to allow the passing of said car. All carriages, drays, carts, and other vehicles, while running through any of the streets upon which railway tracks may be laid shall keep to the right in passing or turning out to permit the cars running on the same to pass. Any person violating any provision of this section shall be liable to a fine of not less than five nor more than fifty dollars. (August 21, 1909.)

5. The company or corporation, in laying down the said railway tracks, shall restore all pavements and regrade all earth taken up or disturbed in said construction, and shall at all times, under the supervision of the engineer of the city, at their own expense and charge, keep

the streets and pavements upon which the tracks of the railways are laid, to the extent of the portion of said streets covered by said tracks, and for two feet on either side beyond the outside of said tracks, in good and complete repair; and should they refuse to do so for the space of ten days, after having been notified by the engineer of the city that any portion of their road needs repairing, as herein provided, then the said company or corporation shall be liable to a fine of five dollars for each day they shall fail to repair the same; and the city council may forbid the running of any car or cars upon said road until the same shall be fully complied with; and the city may in all such cases repair such streets, when not done by the company or corporation as herein provided, and the expense thereof shall be a debt against the company or corporation, recoverable as debts are now recoverable by the city of Richmond. (Code 1899.)

6. Should the corporate authorities of the city hereafter determine to pave any street or streets in which such tracks may be laid, and which streets shall not have been paved at the time said tracks were laid, then the proprietor of said railways shall at the same time, at their own cost and expense, pave so much of said streets or street as may be covered by said tracks, and for two feet on either side beyond the outside of said tracks, for the same distance and to the same extent as the remaining portion of the street may be paved by the city. (Code 1899.)

7. The cars running upon the said railways shall be subject to all the police regulations which are now or may hereafter be contained in the ordinances of the city, in regard to railway cars or other vehicles, so far as they may be applicable thereto. The price of transporting passengers from one part of the city to any other shall not exceed the sum agreed upon in the contract for each passenger; but if the passenger, without leaving the cars, shall return to any point nearer to that from which he started than a point which he has passed, he shall pay a second fare, unless this be occasioned by the line of the route on which he is passing being circuitous. (August 21, 1909.)

8. The company or corporation shall use cars with suitable brakes thereto, and the cars shall be propelled by such motive power as the council may prescribe. And if from a want of sufficient number of brakes to any car, or from the carelessness or incompetency of the conductor or driver of such car, the car shall run on said railway track or in the street at a greater speed than is authorized by this or any other ordinance, the said company shall be subject to a fine not exceeding twenty dollars, for the use of the city; and such careless conductor or driver may be subjected to a like fine. The said cars shall not incommode the crossings nor stop at corners of any street or elsewhere to solicit passengers. It shall also be

the duty of motormen of the cars to give ample notice to drivers of vehicles and pedestrians of their approach, and also to afford all reasonable opportunity for them or either of them to avoid collision or accident; and any neglect by them to comply with the provisions of this section shall be punished by a fine of five dollars, to be recovered before the police justice of the city, for the use of the city. (August 21, 1909.)

9. It shall be the duty of said company or corporation to employ careful, sober, and prudent agents, conductors and motormen, to take charge of their car or cars when upon the road; and for violation of any act of assembly or ordinance of the city on the part of such officer or officers or employees upon said road, the company shall be liable to all fines, forfeitures or damages therefrom: provided, that this shall not be taken as an excuse, or free any such officer or employee from penalties or responsibilities for any such violations or other acts committed. (Code 1899.)

10. Each car running upon the road shall be numbered, commencing at number one and continuing in regular numerical order; which number shall be painted in some conspicuous place upon both sides of the car. For any neglect to comply with this provision, the proprietors shall be punishable by a fine of ten dollars, to be recovered on complaint before the police justice of the city, and for the use of the city. (Code 1899.)

11. After a company or corporation shall have been authorized to construct a railway and run their cars in any street of the city, said company or corporation shall not cease to run their cars therein as agreed on, without the consent of the city council, applied for and obtained in the manner prescribed in section three. And upon the failure of said company or corporation for six months to run their cars in any street as said company or corporation has been authorized to run its cars, said company shall forfeit so much of its railway on said streets as they have failed to run their cars upon, and the right of said company or corporation to run their cars in that part of the street shall cease; and the city council may grant the privilege to another company or corporation to run their cars therein or in any part thereof; or may have the railway taken up and the material thereof sold, and after paying all expenses arising therefrom, pay the balance, if any, to said company or corporation. (Code 1899.)

12. The privilege granted to any company or corporation to construct railways and run cars in the streets, shall continue for such term of years, from the date of the grant, as shall be fixed by the city council, unless the same shall be forfeited under the preceding section. At the expiration of that period the city council may extend the said privilege

to said company or corporation for another period in accordance with law. (August 21, 1909.)

13. That the several street railway companies operating lines of street cars upon the streets of the city of Richmond shall cause each car, at the point of transfer to another line, not to depart from its terminus after the arrival of a car approaching such terminus on another line, until passengers have had sufficient time to depart from the car so arriving and to board the departing car. Any company violating the provisions of this section shall be liable to a fine of not less than twenty nor more than one hundred dollars for each offence, recoverable before the police justice of the city of Richmond. (April 16, 1906.)

14. A grant to one company of the privilege of laying down railways and running cars thereon in one or more streets of the city, shall not prevent the city council from granting the like privilege to another company or companies in other streets. But the privilege shall not be given to two or more companies to run their cars in the same street, except at the crossing of streets, and only for the purpose of crossing a street. And when one company is authorized to lay their railway along a street, so that said railway will cross the railway of another company which has been first authorized to lay down its railway, the company crossing such railway shall, at its own expense and under the direction of the engineer of the city, make the necessary alterations in the railway which is to be crossed. (Code 1899.)

15. No street car shall be moved or propelled upon or along any of the streets of the city at a greater rate of speed than four miles per hour, when turning a corner, nor at a greater rate of speed than twelve miles an hour at any other time. Whenever any driver or motorman shall drive or propel a street car in violation of the above requirements as to speed, the company owning said car shall be liable to a fine of not less than five nor more than one hundred dollars. (August 21, 1909.)

16. That the street railway companies operating lines of railway on the streets of the city of Richmond be, and they are hereby, required to stop their cars for the departure and receipt of passengers on both sides of intersecting streets at all points of connection and transfer, except at Eighth and Main streets. Any company violating the provisions of this ordinance shall be liable to a fine of not less than ten nor more than twenty-five dollars for each offence, recoverable before the police justice of the city of Richmond. (August 13, 1910.)

17. That the several street railway companies, operating lines of street cars upon the streets of the city of Richmond, shall cause each one of their cars, before approaching within twenty-five feet of the track of any railroad company, along which cars are propelled by steam, which any

street car track crosses at grade, to bring their cars to a stand-still at every such crossing, and, while so standing, to cause the conductor of such car to go forward, in order to ascertain whether or not any locomotive or train is approaching such crossing from either direction, and thus to warn the motorman of such approach, who, when so warned, shall keep his car standing until such locomotive or train shall have cleared the crossing. Any street railway company which shall violate the provisions of this section, and any motorman or conductor failing to conform with the provisions of this section, shall be liable to a fine of not less than ten nor more than one hundred dollars; each violation to constitute a separate offence. (January 18, 1901.)

18. That all street car companies operating cars on the streets of the city of Richmond be, and they are hereby, required to equip each of such cars with the most improved life-saving fenders within five months from August 27, 1896, under a penalty of ten dollars per day fine for each car so operating without such fender. (Code 1899.)

19. That all street railway companies operated in, or companies using the streets of the city, be, and the same are hereby, required to place on sale, for the accommodation of pupils attending any school in the city of Richmond, going and returning from school, tickets at half rates. (August 21, 1909.)

20. That, for the privilege of using the streets and alleys of the city, for the laying therein of their tracks and the erection of poles and stringing of wires thereon, by any and all street railway companies now operating street-car lines within the city of Richmond, other than the Richmond Traction Company, each and every such company, for such privilege of so using and occupying the streets of the city, from and after the first day of January, 1900, shall pay annually to the treasurer of the city, as hereinafter required, until the expiration of the time limited by the ordinance granting such right of so occupying the streets, an amount equal to three and one-half per centum on the entire gross receipts from the traffic of the said company until its gross earnings shall reach \$200,000; then also an amount equal to five per annum upon all such earnings in excess of that amount up to \$300,000; then an amount equal to seven per centum upon all such earnings in excess of the last-named amount up to \$400,000; and then also a sum equal to ten per centum upon all such earnings in excess of \$400,000. The said sums shall be paid in semi-annual payments on the first day of July and January of each year, the first payment to be made on the first day of July, 1900, from the gross receipts of said company for the preceding six months, and are to be accompanied by a statement of the amount of such gross receipts, sworn to by the treasurer or secretary of said company. The aud-

itor of the city of Richmond and the chairman of the committee on finance, or some accountant duly authorized by said chairman, shall have the privilege to examine the books of such company or companies every six months, in order to verify, or, if need be, correct, the returns so made. All payments to be made under this ordinance shall be a lien upon any and all tracks and cars of said company or companies laid or used on the routes of such company or companies prior and superior to any other lien or encumbrance upon said tracks or cars. Should any such company fail to make any payment above mentioned within ten days after the same shall become due and payable, such company shall become liable to a fine not less than ten nor more than one hundred dollars; each day's failure to be a separate offence. It shall be the duty of the auditor of the city to have any such company summoned before the police justice of the city for the imposition of the fine or fines above mentioned. Should any such company continue for thirty days in default as to any such payment, the city council may require and order any such company to cease running any one or more of its cars upon any of the said routes, or any part thereof, until the said payment shall have been made to the city; and should any such company, after forty-eight hours from the receipt of notice of such requirement, and while so continuing in default, run or operate upon the said track any one or more of its cars, it shall be liable to a fine of not less than twenty-five nor more than one hundred dollars for each and every car so run; each day's running of such car to be a separate offence. Any notice required or authorized under this ordinance may be served upon the company by leaving said notice with any clerk of any such company employed at the office of said company within the city of Richmond. The payment of which sums shall be in lieu of any and all license tax; but it is expressly stipulated that such payment shall not affect the liability of the said company or companies to general taxation at the rate assessed on the property of other persons within the city, which liability for general taxation is hereby expressly recognized; the assessment of the property of any such company to be made upon the valuation of its property located in the city of Richmond, as made by the board of public works for purposes of State taxation, which valuation, however, shall include all of the rolling stock of such company, whether assessed by the board of public works as located in the city or not, which shall likewise be liable to general taxation within the city; and said company shall also be liable for the payment of assessments for street and other improvements. (April 5, 1900.)

21. That the street railway companies operating their lines within the limits of the city of Richmond, be, and they are hereby, required, upon the application of a passenger who has paid his fare, to issue to such

passenger a transfer ticket without additional charge, which shall entitle such passenger at the point of intersection with the line on which he desires to take passage to board the first car going in the direction in which he wishes to be transported, and upon such car to ride; and such transfer ticket shall be received by the company operating its cars over such line, whether such car be owned by the company issuing the transfer or not; and such passenger shall be entitled to board the first car passing the point of intersection, going in the direction of the line on which he first took passage, whether it be a car of the line issuing the transfer or not. Any company violating the provisions of this ordinance shall be liable to a fine of not less than ten nor more than twenty-five dollars for each offence, recoverable before the police justice of the city of Richmond. (May 15, 1908.)

22. That the points of transfer of passengers from the Richmond Traction Company to the Richmond Passenger and Power Company, and from the Richmond Passenger and Power Company to the Richmond Traction Company and the direction in which passengers shall be transported thereon shall be as follows:

(1.) At the intersection of Harrison and Broad streets and Hancock and Broad streets, the Richmond Traction Company shall issue transfers to passengers coming from the west on Broad street to the Richmond Passenger and Power Company going south on Harrison street, from the west on Broad street to the Richmond Passenger and Power Company going north on Hancock street and from the east on Broad street to the Richmond Passenger and Power Company going south on Harrison street; and the Richmond Passenger and Power Company shall issue transfers to passengers coming from the north on Hancock to the Richmond Traction Company going west on Broad street, from the south on Harrison street to the Richmond Traction Company going west on Broad street and from the south on Harrison street to the Richmond Traction Company going east on Broad street.

(2.) At the intersection of Laurel and Broad streets, the Richmond Traction Company shall issue transfers to passengers coming from the west on Broad street to the Richmond Passenger and Power Company going south on Laurel street and from the east on Broad street to the Richmond Passenger and Power Company going south on Laurel street; and the Richmond Passenger and Power Company shall issue transfers to passengers coming from the east on Broad street to the Richmond Traction Company going west on Broad street and from the south on Laurel street to the Richmond Traction Company going west on Broad street.

(3.) At the intersection of Laurel and Cary streets, the Richmond Traction Company shall issue transfers to passengers coming from the

(12.) At the intersection of Eighteenth and Main streets, the Richmond Traction Company shall issue transfers to passengers coming from the west on Main street to the Richmond Passenger and Power Company going east on Main street, from the west on Main street to the Richmond Passenger and Power Company going north on Eighteenth street and from the north on Eighteenth street to the Richmond Passenger and Power Company going east on Main street; and the Richmond Passenger and Power Company shall issue transfers to passengers coming from the east on Main street to the Richmond Traction Company going north on Eighteenth street, from the west on Main street to the Richmond Traction Company going north on Eighteenth street and from the north on Eighteenth street to the Richmond Traction Company going west on Main street.

(13.) At the intersection of Twenty-first and Broad streets, the Richmond Passenger and Power Company shall issue transfers to passengers coming from the north on Twenty-first street to the Richmond Traction Company going west on Broad street.

(14.) At the intersection of Twenty-third and Venable streets, the Richmond Traction Company shall issue transfers to passengers coming from the east on Venable street to the Richmond Passenger and Power Company going north on Twenty-third street, from the west on Venable street to the Richmond Passenger and Power Company going north on Twenty-third street, from the east on Venable street to the Richmond Passenger and Power Company going south on Twenty-third street and from the west on Venable street to the Richmond Passenger and Power Company going south on Twenty-third street; and the Richmond Passenger and Power Company shall issue transfers to passengers coming from the north on Twenty-third street to the Richmond Traction Company going east on Venable street, from the north on Twenty-third street to the Richmond Traction Company going west on Venable street, from the south on Twenty-third street to the Richmond Traction Company going east on Venable street and from the south on Twenty-third street to the Richmond Traction Company going west on Venable street.

(15.) At the intersection of Twenty-ninth and Broad streets, the Richmond Traction Company shall issue transfers to passengers coming from the west on Broad street to the Richmond Passenger and Power Company going north on Twenty-ninth street and from the east on Broad street to the Richmond Passenger and Power going north on Twenty-ninth street; and the Richmond Passenger and Power Company shall issue transfers to passengers coming from the west on Broad street to the Richmond Traction Company going east on Broad street.

(16.) At the intersection of Fourteenth and Main streets the Richmond Traction Company shall issue transfers to passengers coming from the east on Main street to the Richmond Passenger and Power Company going south on Fourteenth street and from the west on Main street to the Richmond Passenger and Power Company going south on Fourteenth street; and the Richmond Passenger and Power Company shall issue transfers to passengers coming from the south on Fourteenth street to the Richmond Traction Company going east on Main street and from the south on Fourteenth street to the Richmond Traction Company going west on Main street. (September 16, 1901.)

(17.) The council expressly reserves the right to fix other or different points of transfer than those required by this section, and to amend or repeal this section and sub-sections. (September 16, 1901.)

23. The cars of the Richmond Passenger and Power Company shall have the right of way in their passage over the cars of the Richmond Traction Company at the following points of intersection of the streets, or, at the intersection or crossing of the tracks of the one company with the tracks of the other :

Robinson and Main streets, Harrison and Broad streets, Hancock and Broad streets, Seventh and Broad streets, Twenty-fourth and Broad streets, Twenty-ninth and Broad streets, Twenty-ninth and Q streets, Eighteenth and Main streets, Ninth and Main streets, Eighth and Main streets, Seventh and Main streets, First and Main streets, Fourteenth and Main streets, Beverley and Cherry streets. (November 16, 1901.)

24. The cars of the Richmond Traction Company shall have the right of way in their passage over the cars of the Richmond Passenger and Power Company at the following points of intersection of the streets, or, at the intersection or crossing of the tracks of the one company with the tracks of the other :

Laurel and Broad streets, First and Broad streets, Laurel and Cary streets, Eighth and Broad streets, Ninth and Broad streets, Seventeenth and Broad streets, Twenty-first and Broad streets, Twenty-third and Venable streets, Grace and Eighteenth streets, cross-over in Eighteenth near Main streets. (November 16, 1901.)

25. The cars of each of the companies at all of the above-named points, except at the cross-over in Eighteenth near Main streets, shall come to a full stop, with the fender of the car within or on the line of the near sidewalk of the intersecting street, before making the crossing or entering the tracks of the other company. At the cross-over in Eighteenth street near Main street, above mentioned, the cars of each company shall come to a full stop within twenty (20) feet of each entry to the said cross-over. (November 16, 1901.)

(12.) At the intersection of Eighteenth and Main streets, the Richmond Traction Company shall issue transfers to passengers coming from the west on Main street to the Richmond Passenger and Power Company going east on Main street, from the west on Main street to the Richmond Passenger and Power Company going north on Eighteenth street and from the north on Eighteenth street to the Richmond Passenger and Power Company going east on Main street; and the Richmond Passenger and Power Company shall issue transfers to passengers coming from the east on Main street to the Richmond Traction Company going north on Eighteenth street, from the west on Main street to the Richmond Traction Company going north on Eighteenth street and from the north on Eighteenth street to the Richmond Traction Company going west on Main street.

(13.) At the intersection of Twenty-first and Broad streets, the Richmond Passenger and Power Company shall issue transfers to passengers coming from the north on Twenty-first street to the Richmond Traction Company going west on Broad street.

(14.) At the intersection of Twenty-third and Venable streets, the Richmond Traction Company shall issue transfers to passengers coming from the east on Venable street to the Richmond Passenger and Power Company going north on Twenty-third street, from the west on Venable street to the Richmond Passenger and Power Company going north on Twenty-third street, from the east on Venable street to the Richmond Passenger and Power Company going south on Twenty-third street and from the west on Venable street to the Richmond Passenger and Power Company going south on Twenty-third street; and the Richmond Passenger and Power Company shall issue transfers to passengers coming from the north on Twenty-third street to the Richmond Traction Company going east on Venable street, from the north on Twenty-third street to the Richmond Traction Company going west on Venable street, from the south on Twenty-third street to the Richmond Traction Company going east on Venable street and from the south on Twenty-third street to the Richmond Traction Company going west on Venable street.

(15.) At the intersection of Twenty-ninth and Broad streets, the Richmond Traction Company shall issue transfers to passengers coming from the west on Broad street to the Richmond Passenger and Power Company going north on Twenty-ninth street and from the east on Broad street to the Richmond Passenger and Power going north on Twenty-ninth street; and the Richmond Passenger and Power Company shall issue transfers to passengers coming from the west on Broad street to the Richmond Traction Company going east on Broad street.

(16.) At the intersection of Fourteenth and Main streets the Richmond Traction Company shall issue transfers to passengers coming from the east on Main street to the Richmond Passenger and Power Company going south on Fourteenth street and from the west on Main street to the Richmond Passenger and Power Company going south on Fourteenth street; and the Richmond Passenger and Power Company shall issue transfers to passengers coming from the south on Fourteenth street to the Richmond Traction Company going east on Main street and from the south on Fourteenth street to the Richmond Traction Company going west on Main street. (September 16, 1901.)

(17.) The council expressly reserves the right to fix other or different points of transfer than those required by this section, and to amend or repeal this section and sub-sections. (September 16, 1901.)

23. The cars of the Richmond Passenger and Power Company shall have the right of way in their passage over the cars of the Richmond Traction Company at the following points of intersection of the streets, or, at the intersection or crossing of the tracks of the one company with the tracks of the other:

Robinson and Main streets, Harrison and Broad streets, Hancock and Broad streets, Seventh and Broad streets, Twenty-fourth and Broad streets, Twenty-ninth and Broad streets, Twenty-ninth and Q streets, Eighteenth and Main streets, Ninth and Main streets, Eighth and Main streets, Seventh and Main streets, First and Main streets, Fourteenth and Main streets, Beverley and Cherry streets. (November 16, 1901.)

24. The cars of the Richmond Traction Company shall have the right of way in their passage over the cars of the Richmond Passenger and Power Company at the following points of intersection of the streets, or, at the intersection or crossing of the tracks of the one company with the tracks of the other:

Laurel and Broad streets, First and Broad streets, Laurel and Cary streets, Eighth and Broad streets, Ninth and Broad streets, Seventeenth and Broad streets, Twenty-first and Broad streets, Twenty-third and Venable streets, Grace and Eighteenth streets, cross-over in Eighteenth near Main streets. (November 16, 1901.)

25. The cars of each of the companies at all of the above-named points, except at the cross-over in Eighteenth near Main streets, shall come to a full stop, with the fender of the car within or on the line of the near sidewalk of the intersecting street, before making the crossing or entering the tracks of the other company. At the cross-over in Eighteenth street near Main street, above mentioned, the cars of each company shall come to a full stop within twenty (20) feet of each entry to the said cross-over. (November 16, 1901.)

26. If any car of the company having the right of way is within one hundred (100) feet of the intersection, or point of entry, it shall be permitted to take precedence of any car of the other company; but, if two or more cars of the company having the right of way are within one hundred (100) feet of the point at the same time, then the car of the company not having the right of way shall be permitted to proceed after the first car of the company having the right of way has made the crossing or entered upon the line, and when several cars of each company gather at such point, they shall, in like manner, proceed alternately. (November 16, 1901.)

27. On tracks jointly used by both of the companies, no car of either company shall detain a car of the other company, except for the purpose of discharging passengers and receiving those ready to board the car. (November 16, 1901.)

28. Each of the said companies shall have the right to erect upon convenient poles or fixtures on its own tracks, subject to the approval of the city engineer, such signs as it may deem necessary or proper for the carrying into effect the requirements contained in last foregoing five sections. (November 16, 1901.)

29. If either company shall violate any provision or requirement of said last six foregoing sections, it shall be liable to a fine of not less than five, nor more than fifty, dollars; for each offence. (November 16, 1901.)

30. A car approaching another, which is receiving or discharging a passenger, shall, when within not less than ten yards of the same, ring a bell or gong, and shall slow down so as not to pass the front platform of the other car until the latter car shall have gone more than its length from the place where its front platform was when it was receiving or discharging such passenger; or, if it shall not so slow down, it shall come to full stop before passing the rear platform of the other car. For any violation of this section the company employing the driver or motorman so violating the same, shall be liable to a fine of not less than five nor more than fifty dollars. Each violation shall be a separate offence. (Code 1899.)

31. The several street railway companies operating lines of street cars upon the streets of the city of Richmond shall keep their tracks in proper repair, and whenever repairs or renewals are deemed by any one of said companies necessary to its tracks, it shall be the duty of such company, before making such repairs or renewals, to notify the city engineer, and obtain from him a statement showing the extent and character of the repairs or renewals which, in his judgment, are proper and necessary, and the manner and method of construction and materials to be used

in making such repairs or renewals, and whenever the committee on streets deem repairs or renewals proper and necessary upon the tracks of any of said companies, whether such company deems such repairs or renewals necessary or not, said committee shall forthwith notify such company of such fact, and likewise furnish such company with a statement, showing the extent and character of the repairs or renewals which, in its judgment, are proper and necessary, and the manner and method of construction and material to be used in making such repairs or renewals, and, in either case, should such company fail or refuse to make such repairs or renewals in the manner required by the committee, it shall be fined not less than ten dollars nor more than one hundred dollars, and each day's failure or refusal to make such repairs or renewals shall constitute a separate offence. (Code 1899.)

32. All of said railway companies shall keep all cars used by them in the transportation of passengers on the streets of the city of Richmond in proper repair and free from noise produced by defective machinery, and in a neat condition; and, for a failure so to do, any company so offending shall be liable to a fine of not less than five nor more than ten dollars for each car used in carrying passengers on the streets of the city of Richmond which is out of repair, not free from noises produced by the use of defective machinery, or not in neat condition. (Code 1899.)

33. That the electric street surface railway companies operating within the limits of the city of Richmond shall be allowed a period of six (6) months from the date of the approval of this ordinance, within which to improve and as far as practicable perfect the bonding systems in use by said electric street surface railway companies, so as to prevent the presence of currents of electricity on the water mains and water pipes of the city sufficient to occasion damage from electrolysis; and to that end, and in connection therewith, the said companies shall, under the supervision and to the satisfaction of the superintendent of the water works, the city engineer, and the city electrician, install and maintain in different portions of the city, not exceeding ten (10) suitable appliances and instruments to ascertain what stray currents of electricity are, from time to time, flowing upon the water mains and water pipes of the city. The connection so required shall consist of two wires attached to different parts of one section of water main or pipe, the resistance of which said section between the points of contact of said wire, shall have first been accurately ascertained and agreed upon between the engineers for said companies and the city electrician, and each of said wires shall be brought from the point of connection with said pipe to a convenient point above the surface of the ground to a place provided where meters may be readily attached to said wires, and the flow of current upon the

pipe accurately measured. The number and location of such instruments or appliances within the limits aforesaid, shall be agreed upon between the engineers for said companies and the city electrician, said location to be subject to the approval of the city engineer. The said companies shall take daily readings of the flow of current from said reading stations, and report the same to the city electrician on a suitable form to be prepared and furnished by him; provided, that the companies shall have a period of four months from the date of approval of this ordinance within which to install said instruments and appliances and begin said daily readings. (August 17, 1908.)

a. It shall be the duty of the city electrician to make at least weekly readings of said instruments, and after making comparison with the records furnished by said companies, to make monthly reports thereon to the committees on electricity, and water, respectively, showing the electrolytic conditions found by said companies and those found by the city electrician; and in order to insure the accuracy of such readings and reports, the volt meters or other instruments used by the companies and the city electrician in taking such readings shall, from time to time, upon request of either party be tested and compared with each other. (August 17, 1908.)

b. If at the expiration of the period of six (6) months aforesaid, such readings and tests shall in the opinion of the committee on electricity show the presence of currents of electricity on the water mains and water pipes of the city sufficient to cause damage from electrolysis, or if thereafter it be demonstrated by similar tests which shall be made from time to time on request of the committee on electricity, that said system is not being maintained so as to prevent the presence of currents of electricity on the water mains and water pipes of the city sufficient to cause damage by electrolysis, the said committee shall report that fact to either branch of the council, with their recommendations as to what action should be taken by the council to prevent further electrolytic damage to the water mains and water pipes of the city, and the council shall be at liberty, and the right is hereby reserved, to enact such further ordinance or ordinances as they may think best to prevent damage by electrolysis to the water mains and water pipes of the city. (August 17, 1908.)

c. Any electric street surface railway company now or hereafter operating an electric surface railway within the limits of the city of Richmond, without regard to the company which actually caused the damage shall, upon demand made upon any such company by the city of Richmond, promptly pay to and reimburse the city of Richmond for any cost and expense which may have been incurred by the city in

relaying or replacing any water main or water pipe of the city, which the city may hereafter find it necessary to relay or replace by reason of actual breakage of such water main or pipe, or the weakening or partial destruction thereof occasioned by electrolysis; and any company making such payment to the city on account of such damage as aforesaid shall not, as between itself and any other like company, which may have caused such damage, or any part thereof, be prejudiced by such payment, but such company shall have the right to demand of any other company which may have caused such damage, or any part thereof, the payment of such sum or any part thereof, or to demand contribution by any company causing such damage, or any part thereof, and to establish its demands in this respect by legal proceedings, should it so elect; provided, that such right on its part as against any other company shall not affect or limit its obligation to the city of Richmond, as provided in this ordinance.

In event of disagreement between the city of Richmond and any such company or companies, as to whether an actual breakage, weakening or partial destruction of any water main or pipe, so as to make necessary the renewal thereof was occasioned by electrolysis, then and in that event where the amount of such claim of the city of Richmond be in excess of twenty dollars (\$20) the city of Richmond may, upon ten (10) days' written notice of such claim and such motion, move the Law and Equity Court of said city for a judgment for the amount of its said claim, and said motion shall be docketed and heard and determined by said court without a jury, upon such evidence as may be produced by the respective parties, and the judgment of said court thereon shall be final and conclusive upon the parties, from which no appeal shall lie. If the amount of such claim be not in excess of twenty dollars (\$20) then the same shall be cognizable by similar proceedings before the court or tribunal in the city of Richmond authorized to hear and determine civil claims of the amount of twenty dollars and under, and the judgment of such last named tribunal, upon evidence adduced as aforesaid, shall in like manner be final and conclusive.

Any company paying any claim or judgment to the city of Richmond, as in this section provided, shall be subrogated to all of the rights and liens of said city as against any other company causing said damage, or any part thereof, as to the amounts so paid including costs, or any part thereof, for which such other company may be justly liable, and the court rendering such judgment, or which would have jurisdiction to hear said claim under the terms of this ordinance, shall, on motion of the company paying said claim or judgment, on ten (10) days notice of said motion to any other party in interest, hear evidence

and apportion the amount so paid on account of said claim or judgment between or among the several companies then operating electric street surface railways within the limits of the city of Richmond, which might have caused said damage or any part thereof, on such basis as may, in the opinion of said court, be just and equitable, and the judgment of said court making said apportionment shall be final from which no appeal shall lie; but nothing herein contained shall be construed to delay the determination of the rights of the city of Richmond, or the payment of any claim or judgment by the company against which said claim is made or judgment rendered. (August 17, 1908.)

d. The electric street surface railways now operating in the city of Richmond shall, within thirty (30) days after the approval of this ordinance, pay to the city of Richmond all expense incurred by it, in and about its investigation, relative to the amount and extent of electrolytic damage done to the water mains and water pipes of the city, and all costs incurred in connection therewith, or in asserting its claim for such damages; the amount of such payment, however, not to exceed in any event the total sum of ten thousand (\$10,000); but such payment shall not be construed as any payment on account of damages done or which may hereafter be done to the water mains and pipes of the city occasioned by electrolysis, for the payment of which provision is made in the foregoing sub-section. (August 17, 1908.)

e. The provisions of this ordinance shall be made applicable to, and shall be enforced by the city against each and every company which may now own and operate, or which may hereafter construct or operate an electric street surface railway within the limits of said city. (August 17, 1908.)

f. Nothing in this ordinance contained shall be construed as a waiver of the reservations made in the ordinances under which the existing electric street surface railway companies are operating their lines in the city of Richmond, wherein it is expressly stipulated that the city of Richmond reserves the right to put further conditions, restrictions and regulations as to the use of electricity, and requirements as to the manner or system by which electricity may be used by said companies. (August 17, 1908.)

g. The said railway companies shall not be entitled to the benefit of this ordinance until each of them, and the receivers now operating the same, shall for themselves and their successors, by written instruments filed with the city clerk, and approved by the city attorney, accept each and every provision, stipulation and requirement hereof; and upon the filing of such acceptance the city attorney is authorized to file a copy of this ordinance before the special master of the circuit

court of the United States for the eastern district of Virginia, in the consolidated cause of Bowling Green Trust Company Trustee, versus Virginia Passenger and Power Company and others, pending in said court, and unite with counsel for said railway companies in requesting the special master to report to said court the adjustment of the controversies mentioned in said cause, with respect to electrolytic damage to the water mains and pipes of the city of Richmond, in accordance with the provisions of this ordinance and secure a confirmation of said report accordingly. And upon the confirmation thereof by the said court, the city attorney is authorized and directed to promptly dismiss all proceedings of every nature heretofore instituted against the electric street surface railway companies now operating in the city, or against the receivers operating the same on account of damages from electrolysis or in relation thereto, in whatever court or tribunal the same may be pending, at the cost and charge in every instance of the city of Richmond; but such cost and charge shall be refunded to the city by said companies as a part of the costs and charges to be paid as provided in sub-section "c" of this ordinance. (August 17, 1908.)

34. That the Richmond Traction Company shall, at the request of any person, who has paid a cash fare of five cents issue to such person a transfer to the Westhampton line of the Virginia Passenger and Power Company, and such transfer when presented to the Virginia Passenger and Power Company, on the said Westhampton park branch of said company's lines shall entitle the person delivering or tendering the said transfer to ride the same distance and to the same privileges as if such person had paid a cash fare as required in the said contract of the said Westhampton Park Railway Company. That the said Richmond Traction Company shall receive from the said Virginia Passenger and Power Company, the assignee and successor of the Westhampton Park Railway Company, all persons presenting transfers from said Virginia Passenger and Power Company, assignee and successor as aforesaid, and any person delivering or tendering to said Richmond Traction Company such transfer shall be entitled to ride upon the lines of the said Richmond Traction Company the same distance, and be entitled to the same privileges, as if such person had paid a cash fare of five cents to the said Richmond Traction Company. If the said companies transferring with each other, in accordance with the provisions of this section cannot agree between themselves on satisfactory terms of settlement of all questions relating to the transfer of passengers, the same shall be fixed by three disinterested persons, one to be appointed by the Richmond Traction Company, one by the Virginia Passenger and Power Company, assignee, and successor as aforesaid, and the third by the two persons so selected,

and the terms and conditions which shall be fixed by such persons, or a majority of them, shall be the terms and conditions upon which such companies shall proportionately receive the revenues derived from passengers carried on and transferred between said lines, under the provisions of this ordinance; provided, however, that the settlement of any such matter of disagreement between said companies shall not have the effect of postponing or delaying the immediate compliance by the said companies with the requirements of this section. Any company failing or refusing to give any passenger when requested a proper transfer ticket as hereinbefore required, or refusing to receive when tendered such transfer ticket, upon the terms hereinbefore required, shall, in either case, be liable to a fine of not less than twenty-five, nor more than one hundred dollars for each offence, recoverable before the police justice of the city of Richmond. (May 20, 1907.)

35. That the various street railway companies using the streets, avenues or lanes of the city of Richmond be, and they are hereby required, to sprinkle with water in a manner satisfactory to the chief of police, the streets, avenues or lanes along the lines of their railways on each and every day of the year, except when the streets are wet from rainfall or snow. The said sprinkling shall be done in such manner and by the operation of a sufficient number of sprinkling cars to lay the dust without rendering the streets muddy, for a width of street occupied by the rails and portion of roadbed between them and for a distance of at least two feet beyond the outside of the outer rails. (April 29, 1907.)

36. In the event that any street railway company shall use city water for the purposes of sprinkling, there shall be no charge for the same by the city for street sprinkling within the corporate limits as required by section 35; and in order to facilitate the sprinkling of the streets by the said street railway companies, the committee on streets shall have power to grant permits to them for sidings or cross-overs at convenient and necessary points along the lines of the railway companies in the city. The railway companies shall use such fixtures or hydrants as the superintendent of water works may prescribe for the purpose, and shall be responsible for any and all damages to streets, hydrants or fixtures caused by them. (April 29, 1907.)

37. That any railway company neglecting or refusing to sprinkle the streets, avenues or lanes along its lines, as hereinbefore required, shall be fined not less than ten nor more than twenty-five dollars for each and every day it shall so neglect or refuse; and any company refusing to pay for damages to street hydrants or fixtures, caused by its agents or servants, within ten days after the presentation of bills for the same, or who shall unnecessarily or wilfully waste city water shall likewise be liable to a

fine of not less than ten nor more than twenty-five dollars for each offence, such fine to be recoverable before the police justice of the city of Richmond. (April 29, 1907.)

38. It shall be the duty of the several police officers of this city to report to the chief of police of this city all violations of the provisions of this chapter, and also to report all complaints made to them by other parties of any violation of the same. (Code 1899.)

CHAPTER 39.

CONCERNING THE MAINTENANCE AND MANAGEMENT OF STEAM RAILWAYS
AND STEAMBOAT WHARVES.

1. If any engine or other vehicle be drawn or propelled upon a railroad or rail-track in a street at a greater rate than four miles an hour, the person who does it or causes it to be done, or assists in doing it, or causing it to be done, shall pay a fine of ten dollars. Every locomotive engine put or placed upon any railroad or rail-track in the city shall have attached thereto a bell of thirty pounds weight at least, and such bell shall be rung whenever the said engine is about to pass the crossing of any two streets, and shall continue ringing until such engine shall have passed such crossing; and if any engine shall pass across any street in this city, without first ringing and continuing to ring said bell, in manner aforesaid, the owner of said engine, as well as the person then having the control, conduct, and management thereof, shall each be fined not less than five nor more than twenty dollars; and if any person shall blow, sound, or use, or cause to be blown, sounded, or used, by means of, or with steam, any whistle or other thing, upon any public street or alley, he shall be fined not less than five nor more than twenty dollars; and if any railroad company, or their agents or employees, shall run more than one train at the same time across the places where their tracks intersect the streets of this city, without providing a watchman to "flag" each train, said railroad company, as well as the person or persons in charge of such trains, or directing their movements, shall each be fined not less than five nor more than twenty dollars. (Code 1899.)

2. It shall be unlawful for any agent or porter of any hotel or boarding-house, for any owner, agent, or driver of any hack or other vehicle, or for any other person, at any terminal station or wharf of any railroad or steamboat in this city, to throng or obstruct the way to any such station or wharf, or to any car or steamboat thereat, so as to hinder or prevent the free and unimpeded access to or departure from such station, wharf, car, or steamboat, by passengers carried or to be carried on such car or steamboat, or of those attending or receiving them at such station or wharf. (Code 1899.)

3. It shall be unlawful for any person at any such station or wharf to make any unnecessarily loud outcry or clamor, or to solicit custom or employment in a tone louder than a conversational one, or to take hold

of any passenger's person, clothing, baggage, or property, unless previously requested by such passenger to do so. Nor shall any person solicit custom or employment, except selling daily papers, from any one when in a hotel omnibus, hack, or other vehicle, to be or being conveyed to or from a hotel or a depot, or from any person when within ten feet of the curbing of the sidewalk surrounding a hotel. (Code 1899.)

4. No such porter, agent, or owner or driver of any hack or other vehicle, shall go into or upon any such car or steamboat for the purpose of soliciting custom or employment, unless previously authorized to do so by the proper person having charge of the same. (Code 1899.)

5. It shall be the duty of the chief of police to designate the limits, not less than ten feet from every such railroad station or steamboat wharf, within which it shall not be lawful for any such hotel or other porter, or agent, or owner, or driver of any hack or other vehicle, to come for the purpose of soliciting custom or employment, for half an hour after the arrival of any such railroad train of cars or of any such steamboat; and every policeman on duty at such station or wharf shall be especially charged to enforce this chapter. (Code 1899.)

6. Any person violating any of the preceding provisions of this chapter, and the employer of any such person so violating the same, if the keeper of a hotel or boarding-house, or owner of a hack, or other vehicle, shall, on a conviction before the police justice, be fined for each offence not less than five nor more than ten dollars, and upon failure to pay such fine, shall be confined in the city jail not less than five nor more than twenty days; and it shall be the duty of the chief of police, under the direction of the mayor, to have present at each of said stations and wharves, upon the arrival of the passenger trains and steamboats stopping thereat, one or more of the city police, as may be needed for the prompt and efficient enforcement of this chapter, and for the prevention and punishment of any violation of the same, which it shall be the duty of the police, as far as practicable, to prevent or report to the police justice. (Code 1899.)

7. It shall be unlawful for any minor to climb on or get upon, or attempt to climb on or get upon, any locomotive, stationary engine or other machinery, while standing or in motion, or climb on or get upon or attempt to climb on or get upon any railroad or street car, omnibus or other vehicle, while in motion, within the limits of the city; and any minor violating this section shall be prosecuted for such violation, and upon conviction shall be fined not less than two nor more than ten dollars for each offence; provided, however, that in the discretion of the police justice, the parent or guardian of any minor who shall be convicted of violating this section shall be required to pay the fine herein

imposed, after such parent or guardian has been summoned to show cause, if he or she can, why he or she, should not pay said fine. (February 7, 1901.)

8. It shall be the special duty of every policeman who shall at any time be in any street where railroad cars, street cars, or omnibuses, shall be in motion, to vigilantly observe them, and to arrest any minor who may violate the preceding section of this chapter, and promptly report such violation to the police justice, before whom the parent or guardian shall be summoned to appear, and show cause, if he or she can, why he or she should not be fined in accordance with this chapter. (Code 1899.)

CHAPTER 40.

CONCERNING WIRES, POLES, CONDUITS, ETC., IN, OVER AND UNDER, THE
STREETS.

1. Hereafter no poles shall be erected, nor any wire or other apparatus, used in connection with the transmission of electricity, be placed in position, in any street or alley of this city, until the city engineer shall have first determined upon the size, quality, character, number, location, condition, appearance, and manner of erection, of such poles, wires or other apparatus. Whenever at any time the said poles, wires, or other apparatus, shall, in the opinion of the city engineer, need changing in size or location, replacing, repairing, being made safe and secure, or being put in proper and suitable condition and appearance, such one of the persons so using the same (if there be more than one, as shall be selected by the city engineer) shall immediately proceed to do such changing as to size and location, replacing, repairing, making safe and secure, or putting into proper and suitable condition and appearance, as the said engineer shall designate in writing, and all damage done to any street by the erection of any pole shall from time to time be rectified and repaired as required by the city engineer. All expenses arising from any materials furnished or work done under this section, shall be borne in such proportions by all persons using such poles, wires or other apparatus as the city engineer may deem fair; unless the parties can agree upon satisfactory terms within ten days from the time such changes or repairs shall have been completed. (Code 1899.)

2. That all poles now erected in the streets or alleys of the city of Richmond for the support of wires used in connection with the transmission of electricity, except such as support wires required by the city ordinances to be removed and run in conduits, shall hereafter be allowed to remain only upon the terms and conditions hereinafter set forth. (Code 1899.)

3. No pole now erected for the support of telephone wires shall remain on any street in said city after the fifteenth day of December, 1895, unless the owner or user of such pole shall first have petitioned for and obtained the privilege of erecting and maintaining poles and wires for telephone purposes in accordance with the conditions of this ordinance, and such other conditions as the council may see fit to impose. And if such owner, failing to obtain such privilege as above required, shall neg-

lect or fail to remove such pole or poles and telephone wires supported thereon from the streets or alleys of the city by the twentieth day of December, 1895, and restore the street to a condition similar to the rest of the street or alley contiguous thereto, the said owner shall be liable to a fine of not less than five nor more than one hundred dollars for every such pole so remaining in the street or alley, to be imposed by the police justice of the city; each day's failure to be a separate offence. (Code 1899.)

4. The committee on streets may hereafter require any person or company owning any such poles, used for telephone or telegraph purposes, to allow any other person or company to place upon its poles and in such positions thereon any telegraph, telephone, or any other light current wire which may be used for the transmission of electricity now belonging to, or that may hereafter belong to, any person or company authorized by the council to run wires in the streets or alleys, as the committee may from time to time deem proper, and which will not, in the opinion of said committee, unreasonably interfere with the business of the person or company owning such poles, and upon such terms and conditions as may be agreed upon by said owner and any person or company desiring to use such poles; and in the event that said owner and the person or company desiring to use said poles cannot agree upon satisfactory terms and conditions, the same shall be settled by three disinterested persons, one to be selected by such owner, one by the person or company desiring the use of said poles, and the third by the two persons so selected; and the terms and conditions which shall be fixed and determined by said persons, or a majority of them, shall be the terms and conditions upon which said company or companies, respectively, shall use and occupy said poles. If the said owner shall, for thirty days after having been requested in writing to appoint its representative, fail to make such appointment, then the city engineer shall make such appointment, and the person so appointed shall have the powers he would have had if he had been appointed by the said company. If the two arbitrators, selected in either of the two manners above specified, shall fail for thirty days after their appointment to select the third arbitrator, then the city engineer shall select such third arbitrator, and when so selected he shall have the same powers he would have had if he had been appointed by the said two arbitrators. Or, if after the three arbitrators shall have been appointed in any of the modes above specified, they shall fail to settle and determine said terms and conditions within thirty days from the date of the appointment of said third arbitrator, then the city engineer shall have power to select a person who shall have power to settle and determine said terms and conditions. Should either the said owner,

or any person or company that may, under this section, enter upon and use the poles of the said owner, fail to keep and perform each and every one of the terms as to the use of said poles, the company so failing shall be liable to a fine of not less than ten nor more than one hundred dollars for such failure; each day's failure to be a separate offence. The said committee shall have the power to require said owner to allow any person or company desiring to enter upon and use said poles to so enter and use the same, under such conditions as the city engineer may prescribe, as soon as the said person or company so desiring to enter shall have appointed its arbitrator; but the person or company so entering shall do so under contract and bond that he or it will abide by and conform to the terms and conditions determined upon by the arbitrators, as soon as such decision shall be announced. And the said committee shall have power, also, to require from time to time the said owner, or any other person or company using said poles, to afford and furnish such protection or protections to all wires on such poles as the said committee may deem proper or necessary in order to allow such wires to perform the purposes or functions for which they were intended. All work as to placing of wires now upon the poles of any other company shall be done at the cost and expense of the party desiring to use such poles. Each and everyone of the above stated provisions shall respectively apply to poles now carrying electric light, electric power, and electric car wires, to the extent of entitling any person or company, authorized by the council to run wires over the streets and alleys and authorized by said committee in accordance with the terms of this ordinance to place on any such pole any electric light, electric power, electric car wires, or other heavy current wires which may be used for the transmission of electricity. For any failure to perform any requirement ordered under this section within ten days after being notified of such requirement by the city engineer, each party so in default shall be liable to a fine of not less than fifty nor more than five hundred dollars; each day's failure to be a separate offence. (Code 1899.)

5. Hereafter no poles shall be erected until the city engineer shall have first determined upon the size, quality, character, number, location, condition, appearance and manner of erection of such poles. (Code 1899.)

6. Each and every permission herein given is granted under the condition that the city shall have the right by and through the board of fire commissioners to run all wires needed for the fire-alarm and police telegraph department on all poles erected or allowed under this ordinance to remain on any street or alley of the city, and in such positions on said poles as shall seem proper to the superintendent of said department.

Whenever any permission has been granted by the council or the street committee to any person or corporation to erect any pole or poles for the support of wires used for the transmission of electricity, it shall be the duty of such person or corporation, before erecting any such pole or poles, to submit to the board of fire commissioners a diagram showing the proposed location of such poles and arrangement of poles and wires, so as to enable said superintendent to elect and require to be reserved such positions on any such pole or poles as he may deem proper and necessary. (Code 1899.)

7. No person or company shall use the poles, wires or other apparatus above referred to of any other person or company until he or it shall have filed with the city engineer a written application fully setting forth what poles or other apparatus he or it shall desire to use, nor until receiving from said engineer a written notification that the said committee has given the applicant permission to so use the same in accordance with the provisions of this ordinance. (Code 1899.)

8. The city council hereby reserves the right to put at any time other restrictions and regulations as to the erection and use of said poles, wires and other apparatus used in connection with the transmission of electricity, and from time to time require such poles as it may deem proper to be removed, and the wires thereon to be run in conduits upon such terms as the city may deem proper. (Code 1899.)

9. All persons and corporations having, using, or maintaining, any telegraph, telephone, electric light or other poles, in any of the parks, streets, lanes or alleys of the city of Richmond, shall annually, between the fifteenth day of December and the first day of January in each and every year, file with the city engineer a list of all such poles so used, possessed or maintained by him or them, giving the accurate location of each of such poles and of the number and character of wires carried thereon, the names of the owners of said poles and of the persons using the same, and shall at all times keep stamped, painted, or printed thereon, in legible characters, their name as owner upon each of such poles. A copy of such list shall be furnished by said engineer to the city auditor and to the superintendent of fire-alarm and police telegraph. (Code 1899.)

10. As soon as may be after the first day of the fiscal year 1900, and thereafter annually, between the first day of January and the fifteenth day of January, all persons or corporations shall pay to the city treasurer a fee of two dollars for each and every telegraph, telephone, electric light, or other pole used, possessed, or maintained by them respectively, in any of the parks, streets, lanes, or alleys of the city of Richmond, whether such person or corporation be the owner of such pole or not, except trolley

poles used exclusively for stringing thereon wires for use in the propulsion by electricity of street railway passenger cars. Upon the receipt of the above fee by the treasurer, the city auditor shall deliver to the person or corporation paying the same a tin plate, with a plain conspicuous number thereon, to be provided in the manner prescribed in the next succeeding section, for each and every pole upon which the said license fee is paid, and shall also enter in a book, to be kept for that purpose, the name of the person or corporation to whom the license is issued, and the number of poles for which it is issued, and the number of the tin plates delivered to the person paying such license fee. He shall also deliver to such person or corporation a certificate, under his own hand, that such person or corporation has paid the required license fee for that year on the specific number of poles, and has received the tin plates of the given numbers therefor. Such person or corporation then shall have one of such tin plates securely fastened in some conspicuous place upon each of the poles used, possessed, or maintained by it or him, as may be designated by said superintendent. (May 23, 1900.)

11. It shall be the duty of the city auditor, annually, on or before the fifteenth day of January in each and every year, to purchase a sufficient number of tin plates, numbered with plain, conspicuous figures, beginning with number one, and so on progressively, to be furnished, as prescribed in the preceding section of this ordinance, to the persons or corporations using, possessing, or maintaining, telegraph, telephone, electric light, or other poles other than trolley poles, used exclusively for stringing wires thereon for use in the propulsion, by electricity, of street passenger cars; the city auditor shall cause to be stamped with a proper die or painted on each of such tin plates the year in which they are issued; the said plates to be of suitable size and description, in the discretion of the city auditor. (Code 1899.)

12. After the twentieth day of January, 1896, all telegraph, telephone, electric light and other poles in any of the streets, lanes and alleys of the city of Richmond (except trolley poles used exclusively for stringing thereon wires for use in the propulsion of street passenger cars), which shall not have been included in any list filed in accordance with the ninth section of this chapter, with the city engineer, or upon which the name of the owner is not legibly painted, printed or stamped, or upon which the above-mentioned license fee has not been paid, or on which the above prescribed tin plate is not securely fastened in some conspicuous place, shall be forthwith removed by its owner. (Code 1899.)

13. Any person, or persons, or corporation, using, possessing, or maintaining, any telegraph, telephone, electric light, or other poles, in any of the streets, lanes or alleys of the city of Richmond, who shall fail to

file with the city engineer the list as prescribed in section nine of this chapter, or who shall fail to have stamped, printed or painted in legible characters his or its name as owner upon each of such poles, as prescribed in said section nine, by the twentieth of January of each and every year; or who, if belonging to the classes required to pay a fee of two dollars on each pole by section ten, shall fail to pay the said fee, or shall fail to have the tin plate therein prescribed securely fastened in some conspicuous place by the said twentieth day of January of each and every year, upon all such telegraph, telephone, electric light, or other poles so used, possessed or maintained by him or them, shall be liable to a fine of not less than five nor more than one hundred dollars for each pole upon which he, they or it are so in default; and each day of default to be a separate offence. Such fines to be imposed by the police justice of Richmond. (Code 1899.)

14. It shall be the duty of the chief of police to require the police captains of each police district to report to him on the last Monday in November of each year that they have had examined each pole in their respective districts used for the support of wires carrying electricity, and whether any or all are in a safe condition. The said chief of police shall, upon receipt of such reports, forward the same to the superintendent of fire-alarm and police telegraph, who shall require the person or company owning any such pole reported to be unsafe, and deemed by the said superintendent to be unsafe, to remove the same. Any such person or company who, after being so notified, shall fail to have the same removed within forty-eight hours after being so notified shall be liable to a fine of not less than ten nor more than fifty dollars; each day's failure as to each pole so declared unsafe shall be a separate offence. (Code 1899.)

15. The chief of the fire department and the superintendent of fire-alarm and police telegraph shall each have power, and it shall be their duty, to examine and inspect from time to time all poles and every wire or cable over the streets, public grounds, or buildings, when such wire is designated to carry an electric current; shall notify the person or corporation owning or using such poles, when any such pole is unsafe, or owning or operating any such wire or cable whenever its attachments, insulation, supports or appliances are unsuitable or unsafe, and that the said poles, wires or cables must be properly replaced, renewed, altered or constructed; and shall require the owner of any wire abandoned for use to remove the same. Any person or company failing to perform any requirement made of him or it by either the said chief of fire department or said superintendent, under this section, shall be liable to a fine of not less than five nor more than one hundred dollars; each day's failure to be a separate offence. (Code 1899.)

16. Any person or corporation who now has permission from the city council to run wires over the streets or alleys in the city, or may hereafter obtain such permission, may obtain additional routes for its wires when his or its business shall demand the same, and when the said committee shall authorize such additional routes subject to the conditions, restrictions, limitations, and charges herein set forth. (Code 1899.)

17. All wires shall be fastened upon poles or other fixtures with glass, porcelain, or rubber insulators approved by the superintendent of the fire-alarm and police telegraph, and must be stretched tightly and fastened with a tie of the same kind of wire. No wire shall be stretched within four inches of any pole, building, or other object, without being attached to it and insulated therefrom. All wires strung on housetops must be at least nine feet clear of the roof. (Code 1899.)

18. No wire shall be within twenty-five feet of the pavement at the lowest point of sag between supports, except where required to reach a lamp or other connection, and must then be protected by extra covering and be rigidly fixed and out of the way. No wire shall be run within eighteen inches of a city wire. No tree shall be cut or disturbed without consent of the city engineer. (Code 1899.)

19. All electric light and power conductors, except trolley wires, shall be secured to insulated fastenings, and covered with an insulation which is water-proof on the outside and not easily worn by abrasion. Whenever the insulation becomes impaired it must be renewed immediately. All joints must be as well insulated as a conductor, and the insulation of joints must be maintained. (Code 1899.)

20. Every wire, or cable, must be distinguished by a number plainly marked on each cross-arm under the insulator. Day circuits must be conspicuously designated. All arc lamps must be so placed as to leave a space underneath of at least nine feet clear between lamp and sidewalk. Every line for arc light or power entering a building, shall be controlled by a cut-off placed near the entrance, in sight and easily accessible. (Code 1899.)

21. In the construction of lines the insulation to be used must be approved by the superintendent of fire-alarm and police telegraph in writing, filed with the board of fire commissioners, and the insulation resistance must be maintained in accordance with the standard and to be not less than three megohms per mile per 100 volts. And under no circumstances shall underwriters' wire be used. (Code 1899.)

22. All connections with lines of electric light or power conductors shall be made at right angles to the same; and connections to buildings shall be straight across to the building and then down the front of the building. The insulation must be preserved throughout the entire circuit,

and if any portion of a lamp or fixture is a part of a circuit and can be touched, it must be insulated. All conductors shall have a resistance uniformly distributed of not more than thirty ohms per mile per ampere, and proportionately less for heavier current. (Code 1899.)

23. All circuits for electric light or power must be tested every hour, and when a ground comes an effort must be made to remove it at once. Failing in this, the circuit must be discontinued until the insulation is restored. No unused loops from electric light circuits shall be allowed to remain after lamps have been taken away, except in cases where it is positively known that the lamp would be required again within three months, and where there is no underground current for that class of circuits. When allowed to remain, the joint in the loop must be as well insulated as the line itself. (Code 1899.)

24. Nothing in this chapter is intended to relieve any person or company of any condition, restriction or requirement imposed upon said person or company by the ordinance in which it has been authorized to place in the streets or alleys any poles, wires or other apparatus for the transmission of electricity. (Code 1899.)

25. Each and every provision of this chapter, unless otherwise provided, shall apply to any pole, wire or other apparatus used in connection with the transmission of electricity hereafter erected in the streets or alleys, whether the same be erected by way of repairs or for additional routes or for any other purpose. (Code 1899.)

26. Any person violating any restriction, provision or condition imposed by this chapter, or failing to perform any requirement made under this chapter by the city engineer, the superintendent of fire-alarm and police telegraph department, or chief of the fire department, as to which there is not in this chapter a fine specifically imposed, shall be liable to a fine of not less than ten nor more than five hundred dollars, to be imposed by the police justice of said city; each day's violation or failure to be a separate offence. (Code 1899.)

27. The telegraph, telephone, and electric light and power overhead wires and cables (other than trolley wires), and all other overhead appliances for conducting electricity, and the poles therefor, heretofore and now being in any street, alley, or public ground of the city, owned and maintained under any existing franchise, are hereby ordered to be removed from the following-named streets, to-wit: On Broad street from the western side of Adams street to the east side of Eleventh street; on Bank street from the western side of Ninth street to the eastern side of Twelfth street; on Main and Cary streets from western side of Seventh street to eastern side of Fourteenth street; on Seventh, Eighth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, and Fourteenth streets from the

northern side of Broad street to southern side of Cary street, within twelve months from the date of the approval of this ordinance, and any such wires hereafter installed under any existing franchise, or under any franchise hereafter granted, shall, within the limits of the above-described district, unless otherwise provided by the city council, be placed underground within twelve months from the date of permission granted by the city council. Any company, corporation, partnership, or individual, owning or controlling any such overhead wires, cables, or appliances, or poles, that refuses, neglects, or fails to remove them from overhead within the time as hereinbefore provided, or which fails to place said wires hereafter installed in the said underground district underground, as hereinbefore provided, shall be liable to a fine of not less than \$100 nor more than \$500 for each pole so remaining, to be imposed by the police justice of the city of Richmond, and for every week of continued failure and neglect to so remove them after the imposition of the fine above mentioned, such company, corporation, partnership, or individual shall be liable to a fine of not less than \$100 nor more than \$500, to be imposed as above stated. And any overhead wires hereafter installed within the said underground district shall be installed subject to the provisions of this chapter. (March 15, 1902.)

28. That all telegraph, telephone and electrical light and power wires and cables, including feed (but excluding trolley wires) and all other appliances for conducting electricity, shall be removed from the streets, alleys and public grounds of the city of Richmond within the territory mentioned in the foregoing section within six months after the passage of this ordinance, and every individual, partnership, corporation or company owning such wires within said territory shall within two months after the passage of this ordinance submit to the committee on streets and Shockoe Creek plans and details showing the location, plan, size, construction and material of such conduits. Such plans may be altered or amended by said committee and when satisfactory to it shall be approved, and thereupon it shall be the duty of the owner of such wires to proceed with the construction of such conduits in accordance with the plans so approved and in a manner satisfactory to the city engineer. The pavement of the streets and alleys wherein such conduits are laid shall be properly replaced and shall be kept in proper repair to the satisfaction of the city engineer, and the city shall be saved harmless from any and all damages arising from laying such conduits. Such conduits shall be of sufficient capacity to accommodate the wires in such streets and alleys, and shall provide for an increase thereof to at least the extent of 30 per cent.; such increase of space is not to be occupied by any such company, corporation, partnership or individual, directly or indirectly, without the consent of the committee

on streets, but the wires of the city shall be carried in such conduits free of charge, and at least one duct shall be reserved for such wires. After obtaining the consent of the committee on streets, any other person or corporation now having wires in the streets, or hereafter desiring to run wires therein, may occupy necessary and proper portions of such conduits and upon such terms as may be agreed upon with the petitioner; and in case of a disagreement, upon terms to be determined by arbitration as herewith provided: Any such company, corporation, partnership or individual so placing its wires under ground in any street, alley or public ground of said city shall, upon notice from the city or any of its departments that a local improvement or gas, sewer or water main, or branch thereof, is to be constructed or repaired in such manner as will necessitate the moving or altering of its conduit or conduits, or their appurtenances, of said individual, partnership or corporation, move or alter the same at its own expense so as to permit the construction of the improvement where ordered, and should any company or corporation omit to comply with such notice, the conduit or conduits, or their appurtenances, may be altered or moved by the city, and the cost and expense thereof recovered from such individual, company or corporation. Man-holes shall at all times conform to the grades of the streets. The location, size, shape, and subdivision of such conduits, and the material of which they shall be made and the manner of construction, shall be satisfactory to the city engineer. The work of laying underground conduits, tubes, pipes, electrical conductors, cables and wires shall be under the direction and to the satisfaction of the superintendent of fire-alarm and police telegraph, who shall at all times have free and unobstructed access to the conduits, tubes, pipes, electrical conductors or cables for the purpose of inspecting the same or making connection therewith for conduit wires or conductors in use or to be used by the city. (December 18, 1903.)

29. Wherever any wire or cable run in such conduit shall come out of such conduit for the purpose of being continued and run overhead upon poles, all precautions which may be required from time to time by the committee on streets shall be taken for the protection and safety of all persons and property. (Code 1899.)

30. The terms upon which any person or company, after obtaining permission from the city council, may enter with its wires and use such conduits shall be as follows: In the event that said owner and the person or company desiring to use said conduit cannot agree upon satisfactory terms and conditions, the same shall be settled by three disinterested persons, one to be selected by such owner, one by the person or company desiring the use of said conduit, and the third by the two persons so se-

lected; and the terms and conditions which shall be fixed and determined by said persons, or a majority of them, shall be the terms and conditions upon which said company or companies, respectively, shall use and occupy said conduit. If the said owner shall, for thirty days after having been requested in writing to appoint its representatives, fail to make such appointment, then the city engineer shall make such appointment, and the person so appointed shall have the powers he would have had if he had been appointed by the said company. If the two arbitrators, selected in either of the two manners above specified, shall fail for thirty days after their appointment to select the third arbitrator, then the city engineer shall select such third arbitrator, and when so selected he shall have the powers he would have had if he had been appointed by the said two arbitrators. Or, if after the three arbitrators shall have been appointed in any of the modes above specified, they shall fail to settle and determine said terms and conditions within thirty days from the date of the appointment of said third arbitrator, then the city engineer shall have the power to select a person who shall have power to settle and determine said terms and conditions. Should either the said owner or any person or company that may, under this section, enter upon and use the conduit of the said owner, fail to keep and perform each and every one of the terms as to the use of said conduit, the company or person so failing shall be liable to a fine of not less than fifty nor more than five hundred dollars for such failure; each failure to be a separate offence. The said committee shall have the power to require said owner to allow any person or company desiring to enter upon and use said conduit to so enter and use the same, under such conditions as the city engineer may prescribe, as soon as the said person or company so desiring to enter shall have appointed its arbitrator; but the person or company so desiring to enter shall do so under contract and bond that he or it will abide by and conform to the terms and conditions determined upon by the arbitrators, as soon as such decision shall be announced. And the said committee shall have power also to require from time to time the said owner, or any other person or company using said conduit, to afford and furnish such protection or protections to all wires in such conduit as the committee may deem proper and necessary in order to allow such wires to perform the purposes or functions for which they were intended. For any failure to perform any requirement ordered under this section, within ten days after being notified of such requirement by the city engineer, each party so in default shall be liable to a fine of not less than fifty nor more than five hundred dollars; each day's failure to be a separate offence. (Code 1899.)

31. No privilege as to the building and owning of said conduits shall last longer than fifteen years, at the expiration of which time the city may put such other restrictions, conditions and charges as it may see fit and shall be lawful, or may order its removal at the expense of the owner. (Code 1899.)

32. For the privilege of using and occupying the streets of the city as herein proposed, each person or corporation owning or using any wire or wires run in such conduit shall each year, until January 1, 1900, pay to the city treasurer a sum equal to \$2.00 per wire per mile so owned or used by said person or company. On or after January 1, 1900, the city council reserves the right to charge such larger compensation for the rest of the term of the privilege as it may see fit. Each person or corporation shall, on the fifteenth day of June and January of each year, pay to the city auditor a sum equal to \$1.00 per wire per mile then owned or used by such person or corporation, and shall render to the auditor a sworn statement as to the number and length of each of the wires then owned or used by him or it. The committee on finance may, when it may see fit, have the books of the person or corporation rendering such statement examined by a bookkeeper employed by said committee to ascertain whether such statement is accurate. For failure to allow such examination, whenever requested by the finance committee, the person or corporation owning any wires in such conduits shall be liable to a fine of not less than one hundred nor more than five hundred dollars for each wire of said person or company admitted or proven to be in such conduit; and for failure to pay such semi-annual compensation upon the days above specified, the person or company shall be liable to a fine of not less than ten nor more than five hundred dollars; each day's failure to be a separate offence. (Code 1899.)

33. The conduits herein required shall be extended from time to time, whenever required by the city council, to cover streets or alleys upon which the council may determine from time to time that no overhead wires shall be run. (Code 1899.)

34. None of the obligations, burdens and restrictions of this chapter shall, in any manner, interfere with or destroy the rights and privileges secured to telegraph companies which have accepted the provisions of the Act of Congress of July 24, 1866. (December 16, 1905.)

35. Every person or corporation maintaining or operating wires along the streets or alleys of this city, for the convenience of electric currents, shall construct and operate their respective lines and plants so as to prevent any electrolytic corrosion or damage to, or any electric current upon, any gas or water mains of the city or service pipes or connections thereof. (December 20, 1909.)

36. Every such person or corporation having now in operation any such wires shall conform to the provisions of this chapter; and for each day's failure to do so, each and every such person or company so failing shall be fined not less than fifty nor more than five hundred dollars, the said fine to be imposed by the police justice, and recoverable as are other fines and penalties. (December 20, 1899.)

37. Every such person or corporation maintaining or operating such electric wires who shall permit or allow or cause any damage to any gas or water main of the city, or to any of their connections, fixtures, or branches thereof, by electrolytic corrosion, or by the passage thereof of any electric current, shall be liable for and pay any resultant damages, and the cost of all repairs or renewals that may be necessitated by such damages or injury, and shall also save harmless the city from all damages occasioned, either directly or indirectly, to the property of any person. (December 20, 1899.)

38. The superintendent of the fire-alarm and police telegraph shall from time to time make such examinations, investigations, and surveys as will determine whether any electric current is being carried to and on any gas or water mains of the city or any branches or connections thereof; and, if a current is found to be present or to have existed, then to ascertain and determine what person or corporation is responsible for its presence; and thereupon he shall report in writing to the superintendent of the water works, or to the superintendent of the gas works (or both, if both departments are suffering from the presence of the current), the location and extent of the current or currents, and the name of the person or corporation responsible therefor. (December 20, 1899.)

39. It shall be the duty of the superintendent of the gas or water works (or both, as the case may be) to make or cause to be made such repairs or renewals as may be necessary, and to render a bill for the same to the person or corporation causing the damage, and, if not paid in thirty days from the date of its presentment, to place the same in the hands of the city attorney for collection by suit, if necessary. It shall also be the duty of said superintendent of the gas or water works to report such person or corporation so violating any of the provisions of this chapter relative to damage resulting from electrolysis to the police court. (December 20, 1899.)

40. Nothing in this chapter shall be construed to relieve or release any liability already incurred, under the provisions of the ordinances approved January 23, 1899. (December 20, 1899.)

CHAPTER 41.

CONCERNING STREET CLEANING.

1. There shall be elected by the city council a superintendent of the department for the cleaning of streets, who shall enter upon the discharge of the duties of his office on the first day of July, 1901, or as soon thereafter as may be, and who shall continue in office until the thirtieth day of June, 1902, or until his successor shall have been elected and qualified; and thereafter, on the first day of July, 1902, or as soon thereafter as may be, the said council shall elect his successor, who shall continue in office for two years, or until his successor shall have been duly elected and qualified. Said superintendent shall give a bond in the sum of twenty-five hundred dollars, with some guarantee company as security, acceptable to the city attorney; he shall receive in compensation for his services a salary of two thousand dollars per annum, payable monthly. (February 15, 1902; March 11, 1904.)

2. The superintendent of the street cleaning department shall, under the direction of the committee on street cleaning, and subject to their control, take charge of, manage and direct the hands and carts, sweepers, sprinklers, teams, tools and all other property heretofore used and controlled by the board of health in the cleaning of streets and the removal of garbage and ashes, and he shall, subject to the control of the said committee, have the direction and management of the said force, with power and authority to employ and discharge laborers, drivers and hostlers thereof. He shall superintend and manage the stables and teams, and be responsible for the care and preservation of the property, and shall, under the direction of the committee on street cleaning, conduct the operations of the force in the cleaning of the streets of the city and the removal of garbage and ashes. (February 15, 1902; November 17, 1906.)

3. The said superintendent shall, as far as practicable, ascertain the location and character of all nuisances within the streets, alleys and lanes of the city, and, on thus learning of the existence thereof, or when any nuisance, shall be reported to him by the board of health, he shall use efficient means to abate the same; and it shall be the duty of the board of health, from time to time, to report to the said superintendent the existence of any nuisance within the streets, alleys and lanes of the city, which may come to their knowledge. (February 15, 1902.)

4. The committee on street cleaning may, in their discretion, at the expense of the city, provide a horse and vehicle for the use of the superintendent of the street cleaning department, which shall be kept and maintained at the expense of the department. (February 15, 1902; November 17, 1906.)

5. The department for the cleaning of streets shall be under the control of the committee on street cleaning, and immediately under that of the said superintendent, who shall be responsible for its work and report to the committee as it shall direct, which committee shall prescribe such rules and regulations as may be necessary for the proper conduct of said department. (June 17, 1901.)

6. The clerk of the street cleaning department, with the aid of the superintendent of the street cleaning department, shall make out all payrolls, and keep an accurate account of the expenses of the department, and render semi-monthly statements thereof to the committee on street cleaning, together with a duplicate thereof to the city auditor, which payrolls and expense account shall be examined and audited by the committee on street cleaning, and if found correct, shall be certified to the city auditor for payment, which payment shall be made by the auditor, and charged to the appropriation made to the street cleaning department. The said superintendent shall, from time to time, report to the committee on street cleaning the condition of the property under his control belonging to the city, and he shall also report what new property is needed for the department, and the said committee may provide for the purchase of the same, under rules and regulations to be established by it. (February 15, 1902.)

7. The committee on street cleaning shall have the power to suspend the said superintendent from office for neglect of duty, inefficiency, or any other misconduct in the management of the department, and shall report said suspension to the next meeting of either branch of the city council with their reasons for so doing, and in the event of suspension, or any disability, preventing said superintendent from discharging the duties of his office, the assistant superintendent is empowered to discharge the duties of superintendent. (June 17, 1901.)

8. Hereafter the committee on street cleaning shall supervise and control the city pound for dogs and goats and the property used in connection therewith, with power and authority to employ a pound-master and such assistants as may be authorized by ordinance. They shall, annually, secure the necessary number of dog and goat medals and license tins for vehicles, and furnish the same to the city auditor at least ten days prior to the first day of February in each year. All moneys appropriated for

the purchase of license tins and medals may be drawn on by said committee with their proper warrant. (November 14, 1908.)

9. That the committee on street cleaning be, and they are hereby, authorized, in their discretion, to require all employees of the city government engaged in street cleaning to wear a uniform of such character and style as may be prescribed by the said committee. (January 14, 1905; November 17, 1906.)

10. That the superintendent of the street cleaning department, be, and he is hereby, authorized and directed, under the terms and conditions provided in the ordinance approved May 25, 1905, entitled: "An ordinance to authorize and regulate the working of persons serving a term of confinement in the city jail on the streets, alleys and other public places of the city of Richmond," to obtain from the judge of the Hustings Court of the city of Richmond an assignment of as many prisoners as, in his judgment, are necessary for the purpose, who shall be employed by him during the months of May, June, July, August and September in removing obstructions from the bed of Shockoe Creek so as to facilitate the flow of water along the bed of said creek, and thus carry off the sewage now partially obstructed and hence deposited on the shores of said creek and against said obstructions. He shall, under the direction of the committee on streets, as to the number, employ the necessary persons to guard such prisoners while so engaged. And the sum of one hundred and fifty dollars, or so much thereof as may be necessary, out of any money in the treasury not otherwise appropriated, is hereby appropriated, to be placed to the credit of an account to be known as "Payment of Guards for Prisoners Cleaning out Shockoe Creek," to be drawn upon by warrant authorized by the committee on streets, certified by their chairman and approved by the said superintendent. (July 5, 1907.)

11. No person shall deposit, or cause to be deposited, in any street or public or private alley any filth, garbage, ashes, rubbish, or other such thing under penalty of being fined not less than five nor more than twenty dollars for every such deposit: and each day such deposit remains shall be a distinct offence. (Code 1899.)

12. The occupant of any house or lot shall cause all refuse matter, except garbage, to be put in boxes or barrels, and in the most convenient place on such lot for removal, under penalty of a fine of not less than one nor more than ten dollars. (Code 1899.)

13. No person shall engage in the business of collecting and transporting garbage in the city of Richmond without having obtained a written permit from the superintendent of street cleaning. The collectors of garbage must conform to the rules and regulations of the department. If there be a failure on the part of any collector to comply with the re-

quirements of the regulations and rules of the garbage service, his permit shall be revoked by the committee on street cleaning, and he be presented as committing a nuisance. The superintendent of street cleaning shall recommend to the committee on street cleaning such measures as appear most advantageous for the removal and destruction of garbage, that it may not be a menace to the public health. The garbage shall not be removed from any house or lot that is not the waste and refuse of private families. No collection of garbage shall be made from commission houses, green groceries and the like, or from any house where the refuse is the result of the business in which the occupant or owner may be engaged. The garbage from all commission houses, green groceries, and like places shall be taken to the crematory and deposited there to be **burned**. The only deviation from this general law shall be when the amount of garbage is no more than that of an ordinary household; then the said superintendent shall issue orders for its removal or have it removed by the garbage carts of the department, as he may deem best. The said superintendent shall district the city for the collection of garbage. Any person violating this section or any of its provisions shall be fined not less than one nor more than ten dollars. (Code 1899.)

14. Housekeepers shall deposit their garbage in water-tight vessels, each having a capacity not to exceed thirty-two gallons, and these shall be placed at a point on the premises most accessible to the garbage collectors. The vessels shall be placed at said place before eight o'clock of the morning of the day appointed for collection of garbage from that district. Whenever there are carriage alleys in the rear of dwellings, said vessels shall be placed in immediate proximity to the gates opening into said alleys. Garbage and ashes must be kept in separate vessels on the lot. No slops or dirty water, nor anything other than garbage, shall be placed in the garbage vessels. The definition of garbage is refuse animal and vegetable matter. Any person violating this section or any of its provisions shall be fined not less than one nor more than ten dollars. (Code 1899.)

15. The committee on street cleaning are empowered and instructed to prepare suitable rules and regulations for the garbage service. They shall also publish in one of the daily papers the boundaries of the districts and the days on which the carts will call. (Code 1899.)

16. That the following system be, and the same is hereby, established in pursuance of sections 3932 and 3933 of the Code of Virginia, of 1887, as amended by an act of the general assembly approved December 24, 1903 (Acts 1902-3-4, p. 748-749), as a system for the regulation and control of persons confined in the city jail working upon the streets, alleys and other public places of the city. (May 25, 1905.)

17. That the board of health of the city of Richmond shall in writing request the judge of the Hustings Court to order such number of healthy and able bodied male persons confined in the city jail as may from time to time be required to be delivered to the superintendent of the street cleaning department of the city of Richmond to be by him employed in cleaning out the public sewers, sewer inlets and sewer basins, in such manner as the said superintendent of the street cleaning department may direct. (May 25, 1905.)

18. It shall be the duty of the board of health of the city of Richmond, with the approval of the superintendent of the street cleaning department, to assign to the management and guarding of such prisoners a sufficient number of the employees of said department, who shall be vested with full police authority while in the exercise of said duty; and the said board of health shall prescribe proper rules and regulations not inconsistent with law or the order of the judge of the Hustings Court for the management and control of the said prisoners while working or engaged in public work as hereinbefore provided. (May 25, 1905.)

19. Any prisoner assigned to work as hereinbefore provided and refusing to obey the orders or instructions of such person or persons in charge of the gang to which he has been assigned, shall be punished by the infliction of ten stripes, such punishment to be inflicted by the city sergeant in the city jail in private, and each day of such refusal to obey shall constitute a separate offence. (May 25, 1905.)

20. That the superintendent of the street cleaning department, under the supervision of the superintendent of the water works, be, and he is hereby, authorized to use the fire hydrants of the city of Richmond for the purpose of cleansing and flushing the streets when the same is necessary for that purpose, the hydrants to be opened and closed by a member of the fire department. (November 16, 1907.)

21. There shall be an assistant superintendent of the street cleaning department who shall be elected by the committee on street cleaning as soon as may be after the approval of this ordinance; and who shall continue in office until the thirtieth day of June, 1908, or until his successor shall have been elected and qualified; and thereafter on the first day of July, 1908, or as soon thereafter as may be, the said committee shall elect his successor, who shall continue in office for two years, or until his successor shall have been elected and qualified. (May 16, 1907.)

22. The said assistant superintendent shall be under the direction and control of the superintendent of the street cleaning department, and shall, during the absence, sickness or disability of that officer, act in his place with similar authority. The assistant superintendent shall assist the superintendent and also perform such other duties as may be required of

him by the committee on street cleaning or said superintendent. He shall receive in compensation for his services a salary of nine hundred dollars per annum, payable monthly out of the pay-roll accounts of the street cleaning department. He shall give a bond in the sum of one thousand dollars, with some guaranty company as security, acceptable to the city attorney, for the performance of his duties, the said bond to be filed in the office of the city clerk. (May 16, 1907.)

23. There shall be a clerk to the street cleaning department who shall be elected by the committee on street cleaning, and who shall receive in compensation for his services a salary of nine hundred dollars per annum, payable monthly out of the pay-roll account of the street cleaning department. He shall act as clerk of the committee on street cleaning, and shall perform such duties as may be prescribed by said committee, or the superintendent of the street cleaning department. (April 23, 1907.)

24. The employees engaged in street cleaning and the laborers at the crematory shall receive in compensation for their services the sum of two dollars per day each. And the night watchman and harness repairer in the street cleaning department shall receive in compensation for his services the sum of two dollars and fifty cents per day. (April 23, 1907; April 10, 1908; February 14, 1908.)

25. Hereafter the committee on street cleaning shall supervise and control the city pound for dogs and goats and the property used in connection therewith, with power and authority to employ a poundmaster and such assistants as may be authorized by ordinance. They shall, annually, secure the necessary number of dog and goat medals and license tins for vehicles, and furnish the same to the city auditor at least ten days prior to the first day of February in each year. All moneys appropriated for the purchase of license tins and medals may be drawn on by said committee with their proper warrant. (November 14, 1908.)

26. That no person shall have, keep, maintain, or harbor any dog, bitch, or goat within the limits of the city of Richmond, without first having obtained a license from the city, as hereinafter provided. (November 16, 1901.)

27. The city shall from time to time give and grant licenses to such persons as shall apply for the same, to have, keep, possess, maintain, and harbor dogs, bitches, or goats within the city of Richmond, which said license shall continue in force until the 1st day of February next succeeding, and no longer; and each person to whom license shall be given shall pay therefor to the said city the sum of one dollar for male dogs, two dollars for bitches, and one dollar for female and two dollars for male goats. One license shall permit the keeping or maintaining of not more than

one of such animals; and shall contain the name and residence of the owner, the number of the license, the name, breed, sex, age, marks, and other points of identification of the animal for which such license is issued. Every such animal so licensed shall have and continually wear around its neck a collar with a metal tag or plate, having attached thereto the number of the license granted for said animal, which said metal tag or plate shall be furnished to the applicant for such license by the treasurer. (November 16, 1901.)

28. The treasurer shall keep a full and complete record of every license issued by him, showing the name and residence of the person to whom said license is issued, the description and kind, together with all marks of identification of the animal for which such license is issued, and the number of said license, as hereinbefore set forth. (November 16, 1901.)

29. Any person who keeps, maintains, or harbors any unlicensed dog, bitch, or goat within the corporate limits of the city of Richmond, shall forfeit and pay a fine of not less than two nor more than five dollars for each and every offence, to be imposed by the police justice of the city, and recovered as debts and fines of like character are now by law recoverable; and any person who keeps, harbors, or has in his or her possession any such unlicensed animal, shall be deemed the owner thereof, and liable for said penalty. Any and all such animals found at large, without having around its neck the said collar, having attached thereto the said metal tag or plate as aforesaid, shall be *prima facie* deemed unlicensed. (November 16, 1901.)

30. Any person may make complaint to any police officer, or at any police station, or at the pound, of persons having, keeping, or maintaining any of such unlicensed animals; and it shall be the duty of such officer or keeper of the pound, to entertain and immediately investigate the same, or cause the same to be done, and, if the said complaint be correct, to apprehend, imprison, and impound the said animal, as hereinafter provided. (November 16, 1901.)

31. There shall be established a pound, or pounds, at such place, or places, within or without the limits of the city of Richmond, wherein shall be impounded and imprisoned all dogs, bitches, and goats that may at any time be found running at large in any of the public streets, alleys, highways, parks, or other public places within the corporate limits of the city of Richmond, without being licensed and wearing the metal tag or plate hereinbefore set forth; and also to employ a pound-master, or pound-masters, and such other persons as it may deem necessary, to take charge of said pound, or pounds, apprehend, take up, capture, collect, and impound all of said animals liable to be im-

pounded, and to enforce the terms and provisions of this chapter, relating to dogs, goats, etc., at an expense not exceeding the amount of such appropriation as may be made by the council for this purpose. Said pound-masters shall be empowered with police authority, to be exercised in the discharge of their duty only. (November 16, 1901.)

32. No animal impounded as aforesaid shall be released and discharged therefrom, except by the owner thereof making demand therefor, at the pound in which said animal may be impounded, within forty-eight hours after such animal was impounded therein, proving ownership to the satisfaction of the pound-master, paying to him a penalty of \$3.00 for having in his possession an unlicensed animal, and twenty-five cents for each and every day, or fraction thereof, during which such animal was impounded, and procuring a license for said animal in the manner provided in this chapter. Dogs deemed to be valuable may be preserved longer than forty-eight hours and sold, to persons other than their owners, for a sum not less than two dollars, and twenty-five cents for each day, or fraction thereof, during which such dog was impounded; but no dog shall be held alive longer than one week. An accurate account shall be kept of all money so collected, and same paid into the city treasury. (November 16, 1901.)

33. The committee on street cleaning shall cause all dogs remaining in said pound, or pounds, for forty-eight hours after being impounded therein, without being claimed or released, as hereinbefore provided, excepting such dogs as are deemed to be valuable and are to be held for sale, for one week, as provided in section 32, to be put to death, in such manner and by such means and methods as may be approved by the society for the prevention of cruelty to animals. (November 16, 1901.)

34. Any person, except the owner, who shall remove from the neck of any dog, bitch, or goat the metal tag or plate hereinbefore specified, shall, upon conviction thereof before the police justice of this city, be fined not less than five nor more than fifteen dollars, one-half to go to the informer, and in default of payment, be committed to the city jail for a period of ten days, which punishment shall be in addition to the pains and penalties provided by law for the punishment of larceny. (November 16, 1901.)

35. Any person, or persons, who shall hinder, molest, or interfere with any officer or pound-master, while in the performance of any duty enjoined by the last foregoing nine sections of this chapter, shall be deemed guilty of a misdemeanor, and, upon conviction, shall pay a fine of not less than two nor more than twenty-five dollars, or be imprisoned for not less than one day nor more than thirty days in the city jail, or be punished by both fine and imprisonment. (November 16, 1901.)

36. None of the provisions of this chapter shall apply to dogs owned by non-residents passing through the city, nor to dogs brought to the city and entered for exhibition at any dog show. (November 16, 1901.)

37. The council of the city of Richmond shall annually appropriate a fund sufficient for the equipment and expense account of the aforesaid pound, or pounds, said fund to be expended by and with the approval of the committee on street cleaning. (November 16, 1901.)

38. That the committee on street cleaning be, and they are hereby, authorized to contract for a term of not less than two nor more than ten years, and for a like term upon each succeeding expiration of the contract so made, for the removal from the streets, alleys, parks and other public places of the city of Richmond, and any uninclosed or unoccupied lots within the limits of the city of Richmond, of all horses, mules and other cattle dying or found dead thereon, and also for the removal on the written request of the owner of the carcasses of the same from any building or enclosed lot under terms, conditions, rules and regulations to govern such removal, to be established by the said committee and incorporated into the contract so to be made, and it shall be unlawful for any person other than said contractor, to remove or otherwise interfere with any carcass of such dead animal found upon any street, alley, park or other public place of the city, or on any uninclosed or unoccupied lot within the city of Richmond. (May 17, 1909.)

39. It shall be the duty of the owner of every such animal dying upon a street, alley or public place, and of the owner or occupier of any uninclosed lot or premises whereon such dead animal or carcass thereof may be found, and of every owner of such animal dying upon any enclosed lot or in any building or car, who desires the same to be removed from his premises, to give immediate notice to the city contractor of the death of such animal and of the location where the same may be found in the mode hereinafter prescribed. (May 17, 1909.)

40. The said committee on street cleaning shall designate at least one place in each ward of the city where the notice required under the foregoing section may be given, and there shall be erected and displayed at such places a sign to indicate that the same is a point at which such notices shall be received and communicated. (May 17, 1909.)

41. It shall be the duty of the said contractor to remove as promptly as possible after notice has been left at the place designated by him, or has been given to him in person, every such dead animal or carcass, in the manner required by his contract; not, however, in any case shall such removal be delayed longer than six hours after the receipt of such notice by such contractor. (May 17, 1909.)

42. It shall be the duty of every police officer who shall know of a dead animal or carcass lying in any street, alley or other public place of the city, or on any uninclosed property, to give notice thereof to such contractor in the mode prescribed by the preceding section. (May 17, 1909.)

43. The owner or any person having in charge any such animal dying upon any enclosed lot or in any building or car, shall, immediately upon the death thereof, give notice at the office of the chief of police of the time of such death, and of the location of the body of such animal, and whether or not it is desired that city contractor shall remove such animal. If the owner or other person having charge of such animal desires to personally remove the same, he shall do so at his own expense within three hours after the death of such animal, and while removing such animal it shall be kept entirely covered or otherwise hidden from view and shall not be dragged or carried through or along any street or alley, except when so carried as to prevent the exposure to view of the same, or any part thereof. (May 17, 1909.)

44. Any person violating any of the provisions of the last foregoing six sections, or violating any rule or regulation established by the committee on street cleaning under the authority thereof, shall be liable to a fine of not less than five nor more than one hundred dollars for each offence, recoverable before the police justice of the city of Richmond. (May 17, 1909.)

CHAPTER 42.

CONCERNING THE IMPROVEMENT OF JAMES RIVER.

1. At the first monthly meeting of their respective bodies, which shall be held in the month of September, after the organization of the new council, the president of the board of aldermen shall appoint three members of that body, and the president of the common council shall appoint five members of that body, and these members of the council, together with the president of each branch of the council, who, with seven citizens of the city of Richmond, to be selected by the council once in two years, as soon as practicable after the organization thereof, from a list of seven citizens to be furnished by the Chamber of Commerce of the city of Richmond, shall constitute the committee on the improvement of James river. And all vacancies in said committee shall be filled by appointment by the council from the class in which the vacancy in the committee has occurred. It shall be the duty of the clerk of the said committee, upon the occurrence of any vacancy among the members of the committee selected on the recommendation of the chamber of commerce to notify the chamber of commerce of such vacancy, and such vacancy shall, as soon as practicable thereafter, be filled by the council by the selection of some citizen on the recommendation of the chamber of commerce, but upon the failure of the chamber of commerce to make such recommendation within thirty days after such notification, the council may select some other suitable citizen to fill such vacancy. A majority of the members of the said committee shall constitute a quorum for the transaction of business. (December 7, 1906.)

2. As soon as practicable after the formation of the committee, they shall elect a chairman from among their own number, who shall be a member of the city council. (Code 1899.)

3. A majority of the whole number shall be a quorum for the transaction of any business relating to their duties. (Code 1899.)

4. They shall have charge of all the property belonging or appertaining to the improvement of the river, and shall have power to employ and discharge the persons appointed or engaged by them to do work in the department. The following shall be the number, designation and compensation of the persons employed in the department:

On the city tug—

One captain at a salary of \$100.00 per month.

One mate at a salary of \$50.00 per month.

One engineer at a salary of \$85.00 per month.

One fireman at a salary of \$50.00 per month.

One deck-hand at a salary of \$45.00 per month.

On city dredge—

One engineer at a salary of \$100.00 per month.

One fireman at a salary of \$50.00 per month.

One dipper-tender at a salary of \$50.00 per month.

Not more than five deck-hands, each at a salary of \$45.00 per month.

All moneys appropriated and set apart for the work shall be under the control of the committee on improvement of James river, and shall be paid out on warrants on the city auditor, approved by the said committee, attested by the auditing officer and signed by the chairman thereof. (June 20, 1904.)

5. They shall meet once a month, and as much oftener as may be necessary. (Code 1899.)

6. The committee shall make a written report of their operations to the city council at the first regular meeting held in each month, and with this report shall submit an estimate of the amount of money which will be required for their use during the succeeding month. (Code 1899.)

7. In the event of an omission on the part of the chamber of commerce to nominate the persons mentioned in the first section of this chapter, the city council shall elect seven citizens who are not members of the city council, and they shall remain in office until the next appointment. (Code 1899.)

8. The committee on improvement of James river shall have power to fix lines along said harbor within which riparian owners may erect wharves, docks and proper structures and fixtures for commercial and manufacturing purposes. They shall have authority to cause the removal of any wharf, dock, wreck or other obstructions to navigation, or that may in their opinion be injurious to the harbor, or that may cause shoaling of said harbor, its branches or tributaries at the expense of the owners or the party causing the obstruction; provided, the rights of any owners of a wharf whose lines have been heretofore fixed by authority of law shall in no way be disturbed. (Code 1899.)

9. When any dredging is done in any of the waters of the harbor aforesaid the committee shall have power to designate the place at which the dredged material shall be dumped. (Code 1899.)

10. The said committee shall have power to make and enforce such rules and regulations for the preservation of the harbor, its police government, and the better use of the wharf moorings, and other facilities thereof, as they may from time to time deem proper. (Code 1899.)

11. Any person, who shall fail to obey any requirement, restriction, rule or regulation, which the said committee shall declare or impose, shall be liable to a fine for such failure of not less than ten nor more than one hundred dollars; each day's failure to be a separate offence. (Code 1899.)

12. That five members of the committee on improvement of James river shall constitute a quorum for the transaction of business. (August 15, 1903.)

13. If any person shall place or deposit, or shall attempt to place or deposit any stone, ashes, dirt, rubbish, or other thing, in or near Gillie's Creek or Shockoe Creek, or upon the margin of the river or any island therein near the margin thereof, or between the southern limits of the city and the river, so that the same will or may be carried into the river at or below the port of Richmond, he shall be fined for each offence not less than twenty nor more than fifty dollars, one-half to be paid to the informer. (Code 1899.)

CHAPTER 43.

CONCERNING PORT WARDENS AND THE SPEED OF STEAMBOATS.

1. There shall be appointed by the city council for the port of this city four port wardens. The said port wardens shall continue in office until their successors are appointed. (Code 1899.)

2. Two of the port wardens, when called on by the owner or master of, or any person interested in, a vessel, which, or its sails or rigging, arrives in the port in a damaged state, shall inspect such vessel, sails, and rigging, and assess the damage, and upon receiving for their services a fee of six dollars, grant a certificate of said damage. (Code 1899.)

3. If a captain or master of a vessel arriving in the port shall enter his protest before the hatches of his vessel shall have been removed, or if he shall, within twenty-four hours after his vessel shall have been moored to a wharf, give notice to two of the port wardens that he has entered his protest before removing the hatches, the two port wardens called on by said captain or master shall inspect the condition and storage of the cargo, and on receiving for their services a fee of three dollars, grant a certificate stating whether, in their opinion, said cargo has been properly stowed, and whether damaged or not. (Code 1899.)

4. When a captain or master of a vessel shall have removed the hatches of his vessel to land a cargo at Norfolk, or any port on James river, and shall produce to two port wardens satisfactory evidence of his having at the time called for an inspection in regular manner, he shall be entitled to a further inspection; and the two port wardens shall proceed therewith. (Code 1899.)

5. When the two port wardens, on inspecting the cargo, find the same or any part thereof damaged, they shall immediately give notice to the consignee or the owner thereof, or person interested therein, and, if requested by him, shall assess the damages to the cargo or such part of it as is damaged, and on receiving three dollars from the consignee, if there be but one, and one dollar from each consignee, if there be more than one, shall grant a certificate of their assessment to the consignee or owner of each separate shipment, or the person interested therein. (Code 1899.)

6. When two port wardens disagree, a third shall be called on, and of the two, that opinion to which the third approximates the nearest shall be taken as the judgment. The fees of port wardens shall be equally divided among those rendering the services. (Code 1899.)

7. When a cargo, or any part thereof, is abandoned to the underwriter, the port wardens shall take charge of the same, and after giving, in one or more of the newspapers of the city, such notice of the time and place of sale, as in reference to the nature and condition of the damaged articles they may deem advisable, shall sell what is so abandoned at public auction, and after deducting the cost of advertising, necessary expenses for labor, and for their services a commission of one and a quarter per centum, shall faithfully account for and pay the residue to the parties entitled. (Code 1899.)

8. The port wardens shall keep a record of their proceedings, and annually, at the first meeting of the city council in July, return an account, on oath, of their receipts within the preceding year by virtue of their offices. If they fail to make such return, neither of them shall be capable of being re-elected, unless he satisfies the council of his inability to make it. (Code 1899.)

9. The captain or commander of every steamboat coming into or departing from the port of this city, shall, on its arriving within half a mile of this port, or while it is not more than half a mile from the port, retard its speed to one-half its usual rate. If he fail so to do, he shall pay a fine of ten dollars. (Code 1899.)

10. There shall be appointed by the city council for the harbor of the city of Richmond one harbormaster, who, before acting in his office, shall give bond in the penalty of five hundred dollars, with surety approved by the council. The said harbormaster shall continue in office until his successor shall be appointed and qualified. (Code 1899.)

11. The duties of said harbormaster shall be such as are prescribed in chapter ninety-two of the Code of Virginia of 1887, and any laws amendatory thereof, and such as may be required of him from time to time by any ordinances or resolutions of the city council. (Code 1899.)

12. The said harbormaster shall have and keep an office at some convenient place. He shall receive a salary of six hundred dollars per annum, payable monthly, and shall make no fees, levies or charges for any services rendered by him in the performance of his duties as harbor-master. (February 14, 1908.)

13. All vessels arriving at the port of Richmond must report at the office of the harbormaster within twenty-four (24) hours after arrival, and before leaving the port must report their clearance.

a. The harbormaster shall keep a register of the denomination, name, burthen, and master's name of each vessel coming within his control as such, and the port to which she belongs, and that from which she last came, which register he shall submit to the inspection of any applicant.

b. No vessel shall anchor in the channel of the harbor or lie at any wharf in the harbor more than two abreast without first obtaining the consent of the harbormaster.

c. Vessels at anchor or at wharfs must exhibit between sunset and sunrise a visible signal light in the rigging at least fifteen (15) feet above the deck. (Code 1899.)

14. Vessels when so ordered by the harbormaster shall have jib-booms, main booms, and davits rigged in.

a. When fast of vessels extend across a dock so as to obstruct passing vessels the captain or person in charge shall, when so ordered by the harbormaster, cause the fast to be slackened or cast off.

b. Vessels lying alongside of a wharf and not taking in or discharging cargo must make way for and permit other vessels that want to load or unload cargo to come inside next the wharf.

c. If the person in charge of any vessel refuse to move, when so ordered by the harbormaster, the harbormaster shall cause the vessel to be removed at the cost and risk of the master or owners of said vessel, and should he require the service of a tug-boat to enforce such order, for the removal of any vessel against the will of the master thereof, the charges and cost of such service shall be paid by the offending vessel or the owner thereof. (Code 1899.)

15. Vessels discharging ballast must, before commencing, consult the harbormaster, and stretch a tarpaulin to prevent the same from falling in the water.

a. That no vessel propelled by steam within the harbor of Richmond shall pass within fifty (50) feet of any wharf at a greater rate of speed than three miles an hour.

b. All vessels, steamers, and barges shall keep a proper ship-keeper on board at all times.

c. No person shall cast, deposit, or suffer to be cast or deposited in the harbor of Richmond, or James river, within corporate limits of Richmond, any stone, gravel, earth, ashes, or other like substance, or create any obstruction therein. (Code 1899.)

16. The handling of gunpowder, dynamite, or nitroglycerine to and from vessels in quantities greater than five hundred (500) pounds, in the harbor, must be after consulting the harbormaster, whose duty it shall be to see that every precaution against danger of ignition and explosion is adopted and rigidly observed.

a. The dumping of ashes from steamers and dunnage from vessels into the waters of the harbor is strictly forbidden under a penalty of not less than ten nor more than fifty dollars for each and every offence.

b. Any captain or owner of, or any one in charge of, any barge, sand-scow, or any vessel that may sink in said harbor and obstruct the same shall raise and remove the same within five days thereafter.

c. No vessels shall occupy the berths of regular steamers or the private berth of any vessel without permission from the occupants or owners thereof.

d. Any master, owner, or person in charge of any vessel, or any other person who shall refuse or neglect to comply with the orders of the harbormaster, or interfere with him in the discharge of his duty, under this chapter, shall, on conviction thereof before the police court of the said city, be fined a sum not less than ten nor more than fifty dollars. (Code 1899.)

17. The power and authority herein conferred upon the harbormaster may, in his absence or temporary disability, be exercised by either one of the port wardens he may select.

a. The owners, occupants, and lessees of any wharf, in the said harbor, shall keep the same in good repair, and whenever, in the judgment of the harbormaster, any wharf is in a dangerous condition, he shall report the same to the owners, occupants, or lessees thereof, by a notice in writing, and if the owners, occupants, or lessees thereof fail to comply with the terms and requirements of such notice within five days thereafter, they shall be fined not less than ten nor more than twenty-five dollars, for each day thereafter they neglect to repair and place said wharf in a proper condition.

b. It shall be the duty of the harbormaster of said city to see that the provisions of this ordinance are strictly complied with, and he shall have all persons violating the same arrested and brought before the police justice of the said city for trial.

c. That any person or persons violating any of the provisions of this chapter in which no penalty is stated shall, on conviction thereof, in the police court of the city of Richmond, be punished by a fine of not less than ten nor more than fifty dollars. (Code 1899.)

CHAPTER 44.

CONCERNING WEIGHTS AND MEASURES.

1. There shall be appointed by the city council a competent person, who shall be called inspector and gauger of liquors. (Code 1899.)

2. It shall be the duty of the inspector and gauger so appointed to provide himself with the most approved instruments for ascertaining the capacity of a barrel, hogshead, cask or other vessel, and the quality or proof of spirituous liquors, and when called upon for that purpose shall attend with the same in any part of the city, and there gauge and ascertain the contents of any barrel, hogshead, cask, or vessel, and examine the quality and proof thereof, and mark on such barrel, hogshead, cask or other vessels near the bung, the capacity in gallons and fractions of gallons, and on the head, with chalk, the capacity and ullage. (Code 1899.)

3. If any person shall alter, deface or change any marks or characters made by the inspector, or shall on any cask which has not been gauged by him put a mark in imitation of the gauger's mark, he shall pay a fine of not less than twenty dollars, with cost of prosecution. (Code 1899.)

4. Any person may sell, export, or otherwise dispose of any spirituous liquors, wine, molasses, or any fluid merchandise in said city without having the same gauged by the city gauger; but in no case shall any mark indicating the capacity or proof be put on such cask, barrel, or hogshead by any other person than the city gauger or a United States officer in the discharge of his official duty. Any person violating this section shall pay a fine of not less than twenty dollars, with cost of prosecution. (Code 1899.)

5. The said gauger and inspector shall, for his services, be entitled to demand and receive from the person or persons employing him as aforesaid, compensation as follows: For gauging and inspecting every barrel, hogshead, cask, or other vessel the sum of fifteen cents. (Code 1899.)

6. No person engaged in vending or trading in, or manufacturing casks or liquors, individually, or as agent, clerk, or employee of a trader, vendor or manufacturer of said articles, or either of them, shall be entitled to a license to act as gauger. (Code 1899.)

7. The inspector and gauger may appoint one or more deputies, who, after being approved by the city council, and taking an oath faithfully to discharge the duties of the office, may perform any of the duties of his

principal; but the principal shall be accountable for the official conduct of such deputies. (Code 1899.)

8. The person so appointed inspector and gauger of liquors shall, before entering upon the duties of his office, take and subscribe an oath or affirmation faithfully and impartially to execute the duties of his office. (Code 1899.)

9. The city council shall have power, at any time hereafter, to appoint one other inspector of liquors, if it shall by said council be deemed necessary, who shall be subject in all respects to the provisions of this chapter: provided, inspection or gauging under this chapter shall in no case be compulsory upon the buyers or sellers of any liquors herein mentioned, unless the same has been agreed to by mutual consent of the parties. (Code 1899.)

10. The person elected and qualified as city gauger and inspector shall be, and is hereby, authorized to act as a public weigher for the city of Richmond, upon paying into the city treasury a license tax of five dollars, and taking an oath for the faithful performance of his duties as such weigher, and filing a certificate of such oath in the office of the city clerk. (Code 1899.)

11. It shall be his duty, upon the demand of any merchant, or other party in interest, accurately to weigh and mark any package of sugar, coffee, tea, or other article of merchandise, contained in any bag, box, barrel, or other covering, stating thereon the gross weight, the tare (if any), and showing distinctly the net weight of the article of merchandise in every case; for which service he shall be entitled to demand and receive upon each package such sum as may be agreed on between himself and his employer. (Code 1899.)

12. If any person shall alter, deface, or change any of the marks or characters made by the public weigher aforesaid, or shall attempt to imitate the marks of the public weigher upon any package not weighed by him, thereby to deceive or defraud, he shall, for each offence, pay a fine of not less than twenty dollars, with the cost of prosecution. (Code 1899.)

13. That in addition to the duties now imposed by ordinance upon the inspector and gauger of liquors, it shall be his duty to inspect and examine the scales, weights and measures of all persons doing business in the city of Richmond, in order to ascertain if said scales, weights or measures are correct, and according to standard required by law. In the discharge of his duties the said inspector is hereby authorized to inspect the scales, weights or measures of any person doing business in the city of Richmond, at any time during the business hours of said person, but it shall be incumbent upon said inspector to make at least two general inspections of the whole city each year, said inspections to be made with-

out any charge therefor. It shall be the duty of the inspector to stamp the word "Correct" with the initials of his name, upon all wooden or metal measures, which, upon inspection, he finds to be in accordance with the lawful standard, and shall also mark such scales and weights as he inspects and finds correct in such manner that he may be able to identify same. After the inspector has stamped the scales, weights or measures of any person, it shall be unlawful for said person, or his agents, to use any other scales, weights or measures in the transaction of business, until such other scales, weights or measures have been examined and stamped by the inspector as being correct. If the inspector shall find any person using any scales, weights or measures, after he has inspected such for them, other than the ones he has inspected and marked correct, it shall be his duty to confiscate and destroy the weights and measures, and report said party to the police justice of the city of Richmond for said offence, and the penalty upon first conviction for any violation of this ordinance shall be not less than five nor more than twenty-five dollars, and upon any succeeding conviction not less than one hundred nor more than two hundred dollars. It shall also be the duty of said inspector to keep a record of all inspections made by him of the scales, weights and measures used by any person, giving the name, location and date of said inspection and report to the mayor annually such work as has been performed by him. (April 29, 1907.)

14. In addition to the fees now allowed by ordinance to the inspector and gauger of liquors the said inspector, for the additional services required to be performed under this ordinance, shall receive annual salary of six hundred dollars (\$600.00) per annum, payable out of the treasury of the city of Richmond as other salaries are paid. (April 29, 1907.)

15. There shall be appointed by the city council a weighmaster for the first market, who, before acting in his office, shall give bond in the penalty of one thousand dollars, with surety approved by the city attorney. (Code 1899 and April 16, 1906.)

16. The weighmaster shall have the care of the city scales and balances at or near the market for which he is appointed; and he shall keep the same for public use. In person, or by a deputy, approved by the city council, he shall from seven o'clock A. M. to five o'clock P. M. on every day except Sundays, Christmas and the Fourth of July attend the place at which the scales and balances in his care are kept, and weigh such articles as may be brought to such place to be weighed. (July 19, 1907.)

17. Any article brought into the city which the owner or party desiring to purchase the same may wish to have weighed, may be weighed elsewhere than at the city scales: provided, the party so desiring such article to be weighed shall furnish the necessary labor for the purpose, and tender

the prescribed fees. Either weighmaster, or a deputy of either, may act in such cases, and the fees arising therefrom shall be equally divided between the two weighmasters. (Code 1899.)

18. When hay, fodder, oats, shucks, or other long forage is brought to the city the same shall be examined, weighed and certified by a weighmaster, upon the application of the owner or party having control thereof, according to the provisions of this chapter. And if such hay be in bales, the weighmaster, after a satisfactory inspection thereof, shall mark each bale with the quality of the hay contained therein, either as "number one," "number two," or "refused," and shall moreover mark it with the weight of the hay, exclusive of the wood or other wrapping around or about it. If the person offering such hay for inspection shall request it, the weighmaster shall unpack it and weigh the hay and the wood or other wrapping separately, and then repack the same, such person furnishing as many hands, at his own charge, to assist the weighmaster, as may be necessary; otherwise the weighmaster shall make such deductions from the gross weight for the wood or other wrapping as he may deem reasonable. The weighmaster's certificate in such case shall be special, stating the weight and quality of the hay. Moreover, he shall remove from the bale any marks of its weight or quality other than his own. (Code 1899.)

19. Upon receiving the fee hereinafter mentioned the weighmaster shall grant a certificate of the article weighed, specifying the owner's name, at whose instance it is weighed, and its true weight, exclusive, when forage is weighed, of the wagon or other article containing it, and of any wood around or about such forage. And he shall date and sign said certificate, and in a book kept for the purpose make an entry of the article, placing each species of long forage in separate columns, which entry shall correspond with the certificate. He shall also, when a bundle of hay is weighed by him, mark its weight upon the binding of such bundle. If any person alter said certificate or mark, he shall pay a fine of twenty dollars. (Code 1899.)

20. When the weighmaster, on examining an article, deems it not merchantable, he shall so mark it, and his certificate shall be special, stating the quality and condition of the article, or what deduction will render the residue merchantable. (Code 1899.)

21. The fees to be paid for weighing shall be ten cents for any article under fourteen hundred pounds; over fourteen hundred pounds shall be at the rate of fifteen cents per ton of two thousand pounds, except coal, ice, sand, stone and other minerals, the fee for weighing which shall be ten cents per ton of two thousand pounds or fraction thereof, but no single weight shall be made for less than ten cents. (July 19, 1907.)

22. The weighmaster at the first market shall hereafter receive a salary of sixty dollars per month, in lieu of all fees or commissions now allowed under the ordinances of the city of Richmond. The weighmaster for market shall continue to charge and collect all charges, fees and commissions now authorized by the city ordinances, and he shall monthly report to the city auditor all sums so collected during each preceding month, and deposit the same in the proper manner in the treasury of the city. (May 10, 1910.)

23. There shall be appointed by the city council a measurer of grain, who shall hold his office for the term of two years, and until his successor is qualified, unless sooner removed. Before entering on the duties required of him he shall take the oaths presented by law and also the following oath, to-wit: "I do solemnly swear that I will, to the best of my skill and judgment, render equal justice to all who may be interested in the discharge of the duties of my office," and shall also give bond in the penalty of one thousand dollars, with security approved by the council. (Code 1899.)

24. Every person who shall bring to this city, for sale or barter, grain of any kind, potatoes, or any article hereinafter mentioned, to be sold by solid measure (if over ten bushels), may apply to the measurer of grain to weigh the same. (Code 1899.)

25. When any article is provided for in this chapter to be sold by solid measure (except Irish potatoes when sold by the barrel), if either the buyer, seller, or party transporting to or from the city, require the article to be weighed by said measurer, and the other contracting party refuse to have the same so weighed, the party refusing shall pay a fine of twenty dollars. (Code 1899.)

26. The measurer shall weigh and ascertain the number of bushels of any article mentioned in this chapter, according to the standard herein named; and his certificate shall be binding on both parties as to the number of bushels, to-wit: Wheat, sixty pounds; corn, shelled, fifty-six pounds; corn, on the cob, seventy pounds; oats, thirty-two pounds; rye, fifty-six pounds; barley, forty-eight pounds; cornmeal, fifty pounds; peas, sixty pounds; beans, sixty pounds; buckwheat, forty-eight pounds; clover-seed, sixty-four pounds; timothy seed, forty-five pounds; flaxseed, fifty-six pounds; hemp seed, forty-four pounds; Irish potatoes, sixty pounds; sweet potatoes, fifty-six pounds; onions, fifty-six pounds; bituminous coal, seventy pounds. If either seller or buyer of any such article refuse to be governed by this ordinance he shall pay a fine of twenty dollars. It shall be the duty of said measurer to test the scales used by him at least once a week, and oftener, if required. (Code 1899.)

27. The said measurer may appoint one or more deputies, who (when approved by the city council) may, after taking an oath faithfully to discharge the duties of his office, discharge any duties of his principal, but the principal shall be liable therefor; and any such deputy may at any time be removed from office by the principal or by the city council. (Code 1899.)

28. The said measurer shall receive for his services one-half cent per bushel; and the buyer and seller shall each pay one-half of the said fee, except in those cases where one of the parties does not reside in this city and the party transporting the grain requires the same to be weighed, when the seller or shipper shall pay the whole fee aforesaid. (Code 1899.)

29. The said measurer shall quarterly, to-wit: On the first day of January, first day of April, first day of July, and first day of October in each year return to the auditor an account of the number of bushels of each article weighed, and the amount received by him, verified by oath. He shall also cause to be published, at his cost (in a newspaper of this city), a statement of the number of bushels of each article mentioned in said report. If he fail for ten days to return such account, and make such publication, he shall pay a fine of ten dollars; and each subsequent day shall be a distinct offence: (Code 1899.)

30. All stick or long wood, and all sawed and block wood, which shall be sold by dealers or agents in this city, to be delivered by their carts, wagons, or other vehicles, shall be sold by the cord or its proportional part. A cord of stick or long wood shall be four feet high, four feet wide and eight feet long, or its equivalent, and shall contain one hundred and twenty-eight cubic feet. A cord of sawed or block wood shall contain one hundred and fifty-four cubic feet, cart or wagon measurement, and on the delivery of either sort of wood a ticket shall be sent with each load stating the quantity, and should the purchaser, consumer, or person authorized to receive the same suspect the wood to be deficient in the quantity expressed on the ticket, such party shall have the privilege of having the cart, wagon, or vehicle containing the wood taken to the city measurer for measurement, and should there be found any deficiency such wood shall be forfeited to the city and left with the city measurer, and the dealer or agent who sent the same shall be fined for such offence not less than five dollars, and not exceeding ten dollars, and such fines shall be equally divided between the informant and the city: provided, that nothing herein contained shall prevent dealers or agents from retailing from their yards any small quantity of wood by the stick or block. (Code 1899.)

31. Neither the purchaser nor seller of any coal or firewood shall place or permit any such coal or firewood to remain in any street more than thirty minutes after sunset in the evening; nor shall any greater quantity than two loads of such wood or coal, in any case, be permitted either by the purchaser or seller, or other person having the charge thereof, to lie or continue in any street. Nor shall any purchaser or seller, or other person as aforesaid, permit any such wood or coal, at any time, by day or night, to remain in any street so as unnecessarily to obstruct the passage, nor more than two hours in any case. Whosoever shall be guilty of a breach of any of the provisions of this section shall be liable to a penalty for each offence of not less than three dollars nor more than fifty dollars. (Code 1899.)

32. That the bodies or frames of all carts and wagons used for delivery of long or stick wood to consumers, in quantities of one-half cord, more or less, shall be of the following dimensions, namely: For carts—in the delivery of a half-cord of long wood—six feet long, four feet wide, with standards four feet in height, and in the delivery of one-half cord of sawed or block wood such body shall not be less than six feet long, four feet wide and thirty-eight inches in height of rails: For wagons—in the delivery of one-half cord or sawed or block wood the body of such wagon shall be not less than seven feet eight inches long, three feet eight inches wide and two feet eight and one-half inches in height of rails. It shall be the duty of the inspector of weights and measures to inspect and examine all bodies or frames used in the city of Richmond for the delivery of stick or sawed wood to consumers, and to mark the same when found to be of the size hereinbefore required with some designation or mark to indicate that the same have been examined and approved by him, and no person shall use a frame or body for the delivery in the city of Richmond of long or stick wood in quantities of a half cord or more, which has not been so inspected or marked: provided, however, that any cart or wagon now in use which has a capacity of at least seventy-seven cubic feet may be inspected and used for the delivery of long or sawed wood. Any person violating the provisions of this section shall be liable to a fine of not less than ten nor more than twenty-five dollars for each offence, recoverable before the police justice of the city of Richmond. (January 24, 1908.)

33. That any person who shall manufacture or sell or offer for sale within the city of Richmond, or be found keeping or shall keep in his possession within the city of Richmond any scales, balances, steelyards, weights or measures not of standard measure as prescribed by the statute law of this State shall be liable to a fine of not less than five nor more

than twenty-five dollars for each offence, recoverable before the police justice of the city of Richmond. (March 16, 1907.)

34. All coal and coke, except gas-coke, which, shall be sold by dealers in this city, to be delivered by their carts or otherwise, shall be sold by weight of two thousand pounds to a ton. It shall be the duty of the inspector of weights and measures whenever he has reason to believe that any cart or wagon loaded with coal to be delivered to consumers within the city is deficient in the quantity expressed in the ticket sent with same he shall cause the said coal to be sent to the city scales and there be weighed. If there be a shortage in the weight of said coal the said inspector shall cause the load of coal to be returned to the dealer or agent who sent the same, and report him for violation of this ordinance. Any person violating the provisions of this ordinance shall be liable to a fine of not less than ten nor more than twenty-five dollars for each offence, recoverable before the police justice of the city of Richmond. (January 24, 1908.)

35. That it shall be the duty of each and every railroad or other transportation company bringing coal to this city, consigned and to be delivered to any one in the city of Richmond, to weigh the same in the city of Richmond and furnish each consignee with a written statement of the weight of the coal in each car or vessel if required by the consignee. Any railroad or transportation company failing or refusing to comply with this section shall be subject to a fine of not less than ten nor more than fifty dollars for each offence. (November 8, 1901.)

CHAPTER 45.

CONCERNING THE APPOINTMENT, DUTY AND SALARY OF THE ANALYTICAL CHEMIST.

1. That the office of analytical chemist for the city of Richmond is hereby created, whose term of office shall be two years except the term of the person first elected under this ordinance, and the council of the city of Richmond shall, as soon as practicable after the passage of this ordinance and thereafter when other city officers are elected, elect a person skilled in the science of analytical chemistry to fill said office, who shall, within forty days after his election, qualify before the city clerk by entering into bond in the penalty of one thousand dollars for the faithful discharge of his duties, and by taking and subscribing the usual oaths for the faithful performance of his duties. The quarters to be occupied by the said chemist for the discharge of his duties shall be provided by the committee on grounds and buildings and shall be equipped with the necessary instruments and appliances under the direction of the said committee, the expense of which shall be provided by the committee on finance, but shall not exceed the sum of fifteen hundred dollars (\$1,500.00). The said chemist shall occupy the quarters so provided. (May 13, 1910.)

2. In addition to the duties now discharged by the analytical chemist whose appointment is provided for, and whose duties are prescribed under the ordinances of the city of Richmond, the said analytical chemist shall discharge such other duties as may be assigned him by ordinance or which he may be called upon to discharge by the head of any department of the city government, the Hustings Court of the city of Richmond or the police justice of the city of Richmond, with the approval of the mayor, or be called upon to perform by any of the committees having charge of or control of the works and business of the city of Richmond, under rules and regulations prescribed by them. The salary of the analytical chemist shall be two thousand dollars (\$2,000.00) per annum, payable as other salaries are paid. (May 13, 1910.)

CHAPTER 46.

CONCERNING THE CITY GOVERNMENT LIBRARY AND AUTHORIZING THE
ESTABLISHMENT OF A PUBLIC LIBRARY IN THE CITY OF RICHMOND.

1. There shall be in the city hall a collection of books and periodicals of standard character relating to the best forms of city government. (Code 1899.)

2. The library formed under section one shall be under the control and direction of the mayor of the city, and accessible to the officers of the city government, under such rules and regulations as he may prescribe. (July 15, 1904.)

3. The sum annually appropriated shall be paid on warrants drawn on "Library Account" by the mayor, but only for bills approved by the committee on finance. (July 15, 1904.)

4. The public library of the city of Richmond shall be under the control and management of a board of trustees as follows: two aldermen to be elected by the board of aldermen, three councilmen to be elected by the common council, the superintendent of public schools of the city of Richmond and three citizens, not members of either branch of the council, to be elected by the city council in joint session, one from each of the three school districts of the city. The nine persons so elected shall, subject to the provisions of this ordinance, constitute the board of trustees of the public library of the city of Richmond and shall serve without compensation. (December 14, 1901.)

5. Two of the trustees provided for in section one shall serve for two years, three for four years and four for six years; the relative terms of service to be determined by lot, immediately after the election of the board, and the result of the drawing and the terms allotted shall be made a part of the records of the joint session by the city clerk. (December 14, 1901.)

6. Any vacancy among the trustees elected by the joint session of the council shall be filled, for the unexpired term, by the said council in joint session by the election of some one who is not a member of either branch of the council; and any vacancy among the trustees elected by either branch of the council shall be filled, for the unexpired term, by that branch of the council which elected the member whose place is vacant, and by the election of a member of that branch, so as to preserve the propor-

tionate representation of the board of aldermen and the common council, on the board of trustees.

In the event that the status of any member of the board of trustees is changed, by his election to either branch of the city council, or by the loss of his seat in either branch of the city council, his trusteeship shall be *ipso facto* vacated and his successor shall be elected, for the unexpired term and in accordance with section one. (December 14, 1901.)

7. As the terms of members of the board expire their successors shall be elected in accordance with section four, but for the full term of six years; provided, however, that any trustee who has served a full, continuous term, of six years, shall not be eligible for re-election until two years shall have elapsed since the expiration of his six year term. (December 14, 1901.)

8. The board of trustees hereby created, shall, after their election and the allotment of the term of each member, proceed to organize by the election from their own number, of a president, a secretary, a treasurer and an auditor; all of whom shall serve without any compensation whatever: provided, however, that, if the board so elect, they may require the librarian, to be by them elected, to perform the duties of and to be, the secretary of the board. (December 14, 1901.)

9. The board of trustees elected and organized as herein prescribed shall, subject to the provisions of this chapter, select a site for the proposed library building; but the selection shall not bind the city to purchase, or be final, until the city council approves the site and makes the necessary appropriation for its purchase. And the board of trustees shall also secure the necessary plans, make all necessary contracts for, and shall supervise and complete, the building for the library, and, to that end, shall receive and have the custody of the fund donated by Mr. Andrew Carnegie, and shall disburse the same, subject to the provisions of this chapter, and the purpose and intent of the donor: provided, that the expenditure for the building shall not in any event exceed the amount donated for that purpose, and provided further, that within the sum donated the building shall be in every sense fully completed and furnished, and ready for the reception, storage and distribution of books. (December 14, 1901.)

10. The board of trustees herein provided shall have charge of the library building and its contents and shall purchase, preserve and control the books for use therein and shall regulate, order and direct, as to all of the interests of the institution, subject to the purposes and intent of a public circulating library for the city of Richmond, and the provisions of this ordinance. (December 14, 1901.)

11. The board of trustees may make such by-laws as may be deemed necessary, agreeable to the purpose of the donor, and the provisions of this chapter, and may appoint a librarian and such other officers, and employees as they may deem necessary for the proper administration of the library, and fix their compensation: provided, however, that in no event shall the board expend, or contract to pay, for expense and pay-roll combined, any sum in excess of the amount appropriated by the council for the purpose. (December 14, 1901.)

12. Any appropriation for the purchase of a site made by the council shall be paid out upon warrants drawn by order of the board of trustees in regular meeting and approved and signed by the president and the secretary of the board; but no such warrant shall be paid until the city attorney has approved the title of and has ready for record a good and sufficient deed to the site and advises the payment by written opinion. (December 14, 1901.)

13. The annual appropriation by the council for the support and maintenance of the library shall be paid out only upon warrants approved by the board of trustees, signed by the president and by the secretary of the board, and accompanied by original itemized bills, or pay-rolls, as the case may be, duly audited and certified by the auditor of the board. All of said warrants to be, in form and matter, subject to the approval of the city auditor and subject to the general ordinances governing the payment of money out of the city treasury. (December 14, 1901.)

14. Nothing in this chapter shall be deemed to invest any individual member of the board of trustees with any authority whatever, but all acts of authority, direction, supervision, expenditure, election, regulation and control, or other official act, shall be done by resolution of the board of trustees, as a board, or by resolution of a committee, duly created by the board for better administration, and in actual session on a regular meeting day or at a called meeting after due notice to each member of the board or the committee as the case may be. (December 14, 1901.)

15. The first election of trustees under this chapter shall be made at the regular meeting of the board of aldermen and of the common council respectively, in the month of January, 1902, and at a joint session of the council in the month of January, 1902. (December 14, 1901.)

CHAPTER 47.

CONCERNING THE PUBLIC FREE SCHOOLS.

1. The city of Richmond shall be divided into three school districts—the first embracing all the corporate limits east of the centre line of Seventeenth street; the second all between the centre line of Seventeenth street and the centre line of St. James, Foushee and Church streets; the third between the western boundary of the second district and the western corporation line. (Code 1899.)

2. There shall be chosen by the council three trustees from each of the said school districts, the first to continue in office three years, the second two, and the third one, and until their successors shall have been chosen and qualified. The said trustees shall constitute the school board of the city of Richmond, and shall have all the powers conferred on such board by law. (Code 1899.)

3. Vacancies arising in said board shall be filled by the city council, as provided by law. (Code 1899.)

4. The school board shall, on or before the first Monday in January of each year, report to the city council in convenient detail an estimate of the amount of money needed for the conduct of the public schools for the year following that for which appropriations will have already been made; and shall, as soon after the close of the scholastic year as possible, make report to the city council of the condition of public education in the city, with such recommendations as to it may seem proper. (Code 1899.)

5. The city superintendent shall receive for his services, in addition to the amount allowed by State law, the sum of nine hundred and sixty dollars per annum, payable as other salaries are provided to be paid by law. (Code 1899.)

6. All buildings, grounds, and property of every description used for the purpose of public education and purchased with money appropriated by the city council, or received from any other source, unless on different conditions, shall be the property of the city of Richmond. (Code 1899.)

CHAPTER 48.

CONCERNING THE REGULATION OF PAWNSHOPS AND POOL ROOMS.

1. Hereafter the keeper or keepers of every shop within the limits of the city of Richmond, where any kind of articles, such as watches, jewelry, junk, old metals, or other like commodities, and all kinds of second-hand articles are purchased, sold, bartered, exchanged, or pledged, shall obtain from the city collector a license to do so; and shall pay for said license the amount with which such person or persons may have been assessed. (Code 1899.)

2. Every person receiving such license shall place the same in some prominent place in his shop, where it may be seen by every one. Such shop shall be open at all times to the inspection of the mayor, the police, or any citizen of the city, county, or State, and such mayor, police, citizen, or their agents shall have power to take and carry away any and every article of such citizen, which may have been stolen and bought by such dealer or dealers. No such business shall be carried on until the license tax shall have been paid, and the said license shall not be transferable; and the person or persons attempting to do the said business without first obtaining a license therefor shall be subject to a fine of not less than two hundred dollars, or imprisonment not less than thirty nor more than sixty days. (Code 1899.)

3. That the owners and keepers as well as agents of all licensed pool rooms within the city of Richmond shall on each night of the week from Monday to Friday, inclusive, close their places of business from 12 P. M. until 7 o'clock A. M. of the succeeding day, and shall on Saturday of each week close their places of business, and not allow any person to frequent the same other than employees, from 12 o'clock P. M. until 7 o'clock A. M. of the succeeding Monday. It shall be unlawful for any owner, agent or keeper to allow any minor to enter his pool room except on business, and when there for the transaction of business he shall be required to depart therefrom as soon as his business shall have been transacted. Any person violating the provisions of this section shall be liable to a fine of not less than twenty-five nor more than one hundred dollars for each offense, recoverable before the police justice of the city of Richmond. (January 21, 1907.)

4. That it shall be unlawful for any minor, except on business, by the direction of his parent, guardian or employer, to enter any licensed pool room. Any person violating the provisions of this section shall be liable to a fine of not less than ten nor more than twenty-five dollars for each offence, recoverable before the police justice of the city of Richmond. (January 8, 1909.)

CHAPTER 49.

CONCERNING ANIMALS GOING AT LARGE AND CRUELTY TO ANIMALS.

1. No hog or pig shall be kept on any premises or allowed to go at large within the limits of this city. Any person violating this section shall forfeit to the city the hog or pig so kept or allowed to go at large, and be liable to a fine of not less than five nor more than twenty dollars. (Code 1899.)

2. If any person shall permit any dangerous or vicious animal, owned or kept by him or her, to go at large with or without a license, he shall be fined not less than one nor more than twenty dollars; and such animal may be killed by order of the police justice if, after twenty-four hours notice, such animal is not removed beyond the limits of the corporation by the owner thereof. No butcher's dog shall appear or be brought into the markets on any account; and any such dog being found at or in any market-house in this city shall be taken and considered within the meaning of this ordinance as a vicious animal going at large. (Code 1899.)

3. If any person shall unlawfully and without necessity kill a licensed dog, not vicious or dangerous, without authority from the owner of such dog, or shall steal or take away such dog, with intent fraudulently to deprive the owner or keeper of the use of such dog, he shall be fined twenty dollars. (Code 1899.)

4. If any person shall suffer their cow or calf to be in any street or public alley of this city at any time unattended he shall be fined not less than one nor more than five dollars. (Code 1899.)

5. If any owner or other person having custody of any horse, mule, swine, or goat, shall turn loose or permit the same to go at large in any public street or alley, he shall be fined not less than one nor more than five dollars, and every such hog or goat shall be taken and sold for the use of the city. But nothing in this chapter shall be so construed as to subject any visitor or resident in the city to any fine or forfeiture for ten days after the arrival of his or her dog therein; nor to prevent the owner or keeper of any animal (not vicious or dangerous) from driving it through the streets or alleys in coming into, going from, or passing through the city. Nor shall this section apply to any goat for which the owner thereof has obtained a license from the auditor for keeping the same. (Code 1899.)

6. Any person who overrides, overloads, tortures, or cruelly beats, or unjustifiably injures, maims, mutilates or kills any animal, whether be-

longing to himself or another, or deprives any animal of necessary sustenance, food or drink, or causes any of the above things; or who wilfully sets on foot, instigates, engages in or in any way furthers any act of cruelty to any animal, or who, having in custody a maimed, diseased, disabled or infirm animal, abandons such animal, or leaves such animal, or leaves it to die in a public street, road or public place, or who shall carry or cause to be carried in or upon any vessel or vehicle; or otherwise carry any animal in a cruel or inhuman manner, or so as to produce torture, shall be fined not more than fifty dollars for each offence. (Code 1899.)

7. No cattle shall be kept in any place in which the water, ventilation and food are not sufficient and wholesome for the preservation of their health and their fitness for food. (Code 1899.)

8. No cattle shall be brought to this city, or kept or carried therein, while bound or tied by the legs, or bound down by their necks, but shall be allowed to stand while remaining in or being carried in, through or to the city. (Code 1899.)

9. The word "cattle" in this chapter shall be construed to include all animals of which any part is used for food, except birds, fowl and fish. (Code 1899.)

10. Every violation of sections six, seven and eight of this chapter shall be punishable by a fine of not less than five nor more than twenty dollars; and the infliction of such cruelty as is thereby prohibited shall, in case of each separate animal, constitute a separate offence. (Code 1899.)

11. No person shall bring, or cause to be brought, into the city of Richmond, nor ride or drive, or otherwise use upon the streets of the said city, any horse, knowing the same to be affected with the disease called glanders or farcy; nor shall any person hire or otherwise permit or authorize for compensation, or without compensation, such use of a horse so affected. (Code 1899.)

12. No person shall knowingly permit any horse so affected to remain in an adjacent or neighboring stall to a horse or other animal not so affected; but it shall be the duty of the owner or the person at the time in charge of the said horse, to remove the said affected horse, or cause it to be removed, so as to prevent the risk of communicating by contagion the said disease. (Code 1899.)

13. It shall be the duty of the police of the city to report specially all violations of this ordinance. (Code 1899.)

14. Upon conviction of any person before the police justice, of the violation of any provisions of the last three sections, he shall be fined not less than five nor more than one hundred dollars, to be collected as penalties for other violations of city ordinances. (Code 1899.)

CHAPTER 50.

CONCERNING VAGRANTS.

1. Every railroad company, and every captain or master of a steamboat or vessel, which or who shall bring to the city of Richmond or to the port thereof from another State or country any person not having ostensible means for his or her support, shall, before such person shall be permitted to leave the cars or the vessel, enter into bond to the city in the penalty of five hundred dollars, with condition to pay to the city any sum or sums of money which the city may expend during the next twelve months from the date of such bond for the support or care of such person. And if such railroad company, captain or master of a steamboat or vessel shall fail or refuse to give bond, such company, captain or master shall be required to keep such person in the depot of such company, or on board of his vessel, until such person shall be taken back beyond the limits of the State by the company, captain or master who shall have brought him to the city. (Code 1899.)

2. If any railroad company, captain or master of a steamboat or vessel shall fail to comply with the preceding section, or shall bring any such person as is therein mentioned near to the city, and permit him to leave the cars, or his steamboat or vessel, and such person shall come into the city, such railroad company, captain or master shall be fined twenty dollars for each person; and every day that such person shall remain in the city shall be a separate offence. (Code 1899.)

3. It shall be the duty of the police of the city to arrest all persons having no ostensible means of support, who shall have come to the city within the preceding six months, and all persons known as robbers and pickpockets, who have come from other States within the same period, and to take them before the police justice; and if the police justice shall be satisfied that they are such persons as herein described, he shall, in the case of persons other than robbers, pickpockets or professional thieves, commit them to jail until they can be sent back to the place from whence they came, if their former residence be ascertained, and, if not, then to some place out of the State; and in the case of robbers, pickpockets or persons known as professional thieves, the police justice shall, if he be satisfied that they are such, and have been in the city more than six months, commit them to jail in default of security for good behavior for a term not exceeding twelve months, or send them back to the place

from whence they came, if it can be ascertained, and if not, then to some place out of the State. (Code 1899.)

4. If the police justice can ascertain by whose steamboat or vessel, or by what railroad, such persons were brought to the city or near it, he shall have them put on the cars of such railroad or on such steamboat or vessel; and it shall be the duty of such railroad company, or the captain or master of such steamboat or vessel, to take back such persons at their own expense or the expense of the persons themselves; and if such persons cannot be put on such cars or vessels, they shall be sent out of the State at the expense of the city. (Code 1899.)

5. Any railroad company or captain or master of a steamboat or vessel, which or who shall refuse to receive such persons brought to the city or near thereto upon their cars, steamboat or vessel, and to take them back, shall be fined twenty dollars for each person. (Code 1899.)

6. If any person described in the first or third sections of this chapter shall return to the city after having been sent away, he shall be placed in the chain-gang of the city and compelled to work upon the streets. (Code 1899.)

7. Any person, not being a minor under seventeen years of age or a blind person, who shall beg or solicit alms, whether of money, food, lodging or clothing, or an habitual drunkard and unable to take care of himself, shall be deemed a vagrant, and for such begging, vagrancy or drunkenness shall be liable to be fined not less than two dollars and a half nor more than one hundred dollars, to be imposed by the police justice. It shall be discretionary with the police justice whether the party or parties shall be fined or imprisoned or both. Whenever any such fine shall be imposed the said police justice may, if the same be not immediately paid, commit such person to jail, for a term not exceeding ninety days. When ordering such imprisonment the justice may declare and adjudge that the same shall be with or without labor, and shall have the power, if, in his judgment, he deems it necessary, to require said prisoner or prisoners to be shackled in order to prevent their escape. (Code 1899.)

8. Whenever any such sentence shall specify with labor the committee on streets shall have the power to receive each morning, except Sundays, during the months of May, June, July, August and September from the city jailor, through its authorized officer or agents, the persons so sentenced, and to require such persons to work during each of such days not to exceed ten hours in cleaning out the bed of Shockoe creek. The committee on streets shall have the power, during the other months than those above specified, to receive each morning, through its duly authorized officer or agent, such person from the city jailor, and to require such person to work diligently during each of such days not to exceed

ten hours in breaking rock or stone with a hammer. The said committee on streets is hereby authorized to employ during the proper months a number of guards, not to exceed two, to take charge of and keep from escaping any such persons received as above authorized, *but not more than one guard shall be employed when the number of prisoners to be worked does not exceed ten*; such guards are to be employed by the day, as needed, at a compensation not to exceed one dollar and a half per day each; such guards may be taken from such of the city forces as may be unemployed; the said guards shall see that such persons work diligently at the work required of them; and if such person shall fail so to work he shall not be allowed any food except bread and water until the next morning. (November 14, 1908.)

9. The committee on grounds and buildings may, if it shall see fit, fence off in a proper manner such part of the city stable lot situated next to the city jail, as the city engineer may designate, and erect a suitable shed thereon, within which the said committee on streets may cause to be put so much stone or granite as the said committee may deem necessary to keep said vagrants under their control at work, and may require such person to work therein; such part of the said lot for the purposes above stated to be regarded as a part of the city jail. The committee on streets is hereby instructed to furnish the necessary stone or granite, with the hands and carts force, as may be required to keep said vagrants employed. The said committee on streets may make all proper rules and regulations for the working and guarding of such prisoners, for returning them to the jail and for their meals and their safekeeping during the nights. (Code 1899.)

CHAPTER 51.

CONCERNING THE SALE OF LIQUORS AND GAMBLING.

1. That not more than one hundred and fifty places in the city of Richmond shall be licensed, where ardent spirits are to be sold, by retail, and no hotel keeper shall be licensed unless the hotel shall keep not less than thirty (30) bed-rooms for the accommodation of guests, and no place shall be licensed where any performance or show is allowed in conjunction or combination therewith, nor shall there be any opening or connection between such places so licensed and any other place where any such performance or show is allowed; provided, however, that this restriction as to shows or performances shall not apply to any bona-fide hotel which may be licensed hereunder, nor to the premises Nos. 309 and 311 North Seventh street, known as Saenger Hall. (October 8, 1908.)

2. No person so licensed shall allow any woman or minor or any other person who is not a legal voter of the State of Virginia to sell or otherwise dispense ardent spirits or malt liquors at their place of business. (December 12, 1907.)

3. No person shall be granted a license to conduct a place where ardent spirits and malt liquors, or either of them, are sold, unless it shall be affirmatively shown to the judge of the court hearing the application that the applicant is a registered voter in the city of Richmond and is a person of good moral character and of good reputation in the community in which he resides. If the court or judge be fully satisfied upon the hearing of the testimony for and against the applicant that the applicant is a registered voter as aforesaid, and is a person of good moral character and of good reputation in the community, and that the place where the business is to be conducted, as to location, construction of the premises and character of the business fully conforms to this chapter, the court may, upon the execution by the applicant of a bond payable to the city of Richmond in the penalty of one thousand dollars (\$1,000.00), with satisfactory security, the surety or sureties to be a fee simple owner or owners of unencumbered real estate located in the city of Richmond, of the value at least of the penalty of said bond, conditioned for a faithful compliance with all of the ordinances of the city of Richmond in relation to the sale of ardent spirits and malt liquors, and also to pay all fines and penalties that may be imposed on such applicant for any violation of such ordinances, grant such license. (December 12, 1907.)

4. For the license year commencing February 1, 1908, and every license year thereafter, the license tax for conducting a place of business where ardent spirits and malt liquors, or either of them, are sold by wholesale or retail, shall be five hundred dollars (\$500.00). (June 23, 1909.)

5. Any person who shall sell or otherwise dispense ardent spirits or malt liquors without having first obtained a license, as required by this chapter, or whose license, State or city, has been revoked by order of the Hustings Court of the city of Richmond for violating any of the provisions of law, State or municipal, regulating the sale of ardent spirits, or who shall violate any of the requirements of this chapter concerning the sale of liquor, and shall afterwards dispense ardent spirits or malt liquors, shall be liable to a fine of not less than one nor more than five hundred dollars, recoverable before the police justice of the city of Richmond, and such person shall, in addition, forfeit his license granted under this chapter, and any person so convicted shall not afterwards, within five years, be entitled to a license for the sale of ardent spirits or malt liquors under the provisions of this chapter. (June 23, 1909.)

6. That any person desiring to obtain from the Hustings Court of the city of Richmond, or the judge thereof, in vacation, a license to conduct the business of selling by retail ardent spirits or malt liquors in the city of Richmond, shall make written application therefor to the commissioner of revenue of the city of Richmond, signed by himself, at least thirty days prior to the date on which such applicant desires the said license to become effective, in which application shall be stated, if the same is made by an individual, the full name of such applicant, if by a firm the full name of each member of the firm; the nativity of such applicant and his residence; whether such business is to be conducted in a hotel or at some other place; if in a hotel the number of bed-rooms for the accommodation of guests in such hotel; whether it is proposed to allow any show or performance in conjunction or combination with such business; whether there be any opening or connection between the place where such business is to be conducted and any place where any performance or show can be allowed; whether the person is a legal voter of the State of Virginia; when and where such person was registered as a voter; and the amount required by law to be paid for the privilege of such license. If such application is found to be in proper form the commissioner of the revenue shall endorse thereon: "Referred to the Hustings Court of the city of Richmond, or the judge thereof in vacation," and deliver the same to the applicant, and the applicant shall forthwith present such application so endorsed to the Hustings Court of the city of Richmond, or the judge thereof, in vacation,

accompanied by a receipt from the collector of taxes for the city of Richmond for a certified check payable to the said collector for the sum of five hundred dollars, which said certified check shall be held by the said collector until said court or judge shall have passed upon said application, and the said court or judge, as the case may be, shall hear such evidence as may be introduced for or against the application, and determine the question of whether the same may be legally granted under the provisions of this chapter; and if the court or judge be of opinion that the same may be granted, the court or judge, as the case may be, shall require the applicant to execute a bond as provided by this chapter, and upon the proper execution thereof shall certify to the commissioner of the revenue of the city of Richmond that said applicant will be entitled to a license under said chapter when such license fee shall have been paid, and the said clerk of the Hustings Court shall thereupon certify to the said collector that the license has been granted, and thereupon the said check shall be at once paid into the treasury of the city of Richmond, and he shall certify such payment to the commissioner of the revenue; and said commissioner shall, upon the receipt of such certificate, issue a license in such form as may be prescribed by the city attorney of the city of Richmond to the applicant to conduct such business at the place named in the application, but upon the refusal of any license by the said court or judge, that fact shall be by the clerk of said court certified to said collector, who shall in that case return the check held by him to the applicant by whom it was deposited. (June 23, 1909.)

7. Every hotel keeper and keeper of a restaurant, bar-room, store, saloon or other place where ardent spirits, beer, cider or other such drinks are sold or given away shall, on each and every day, close the bar-room or place where such drinks are sold or given away between the hours of 12 o'clock Saturday night and 6 o'clock the succeeding Monday morning, and on the other days of the week between the hours of 12 o'clock midnight and 6 o'clock the next succeeding morning. During the hours and at the time when the sale of ardent spirits, beer, cider or other such drinks is prohibited, no screen, blind, shutter, curtain, partition or painted, ground or stained glass window, or door, or any other obstruction, shall be allowed to remain or be maintained, or be permitted to be placed or maintained, in any bar-room or other place for the sale of such drinks to be drunk on the premises, in such a way as to interfere with a clear view of the interior of said premises from the street, or, if such premises do not open on the street, from a public entrance. At all times when any bar-room or other such place shall be open, the license under which the business is conducted shall remain posted in some conspicuous place in the bar-room or place of such busi-

ness. Any person violating any provision of this section shall be fined not less than one hundred nor more than five hundred dollars. (December 18, 1906.)

8. That it shall be unlawful for any minor, except on business, by the direction of his parent, guardian or employer, to enter any saloon, bar-room or other place where liquor is sold to be drunk where sold. Any person violating the provisions of this section shall be liable to a fine of not less than two and a half nor more than ten dollars for each offence, recoverable before the police justice of the city of Richmond. (August 17, 1908.)

9. If any licensed keeper of a house of private entertainment or public boarding-house, eating-house, cook-shop or lager beer saloon shall allow any gambling or play of any kind for money or other valuable thing, or shall allow any wine, ardent spirits or a mixture thereof to be sold upon his or her premises, he, she or they shall be fined for each offence a sum not less than ten nor more than fifty dollars; provided, that this last prohibition shall not apply to the keeper of an eating-house who has a license to sell liquors to his guests, and sells it only as authorized by his license. (Code 1899.)

10. If any person not embraced in the next preceding section shall allow any spirituous or fermented liquors to be sold upon his or her premises, he or she shall be fined fifty dollars for each offence. But this section shall not apply to keepers of ordinaries, or keepers of eating-houses, or merchants having a license to sell such liquors, when the same are sold only as authorized by their licenses. (Code 1899.)

11. Hereafter any minor who shall enter any licensed saloon, bar-room or other place where liquors are sold, and there, by false representations as to age, or by any device or stratagem, or in any other way procure intoxicating liquor of any kind, and drink said liquor on said premises, or carry said liquor away to be drunk elsewhere, shall be deemed guilty of a misdemeanor, and, on conviction thereof before the police justice of the city of Richmond, be fined for said offence not less than fifty dollars nor more than one hundred dollars, or may be confined in the city jail not less than two nor more than twenty days, or both, in the discretion of the police justice; provided, that when, in the opinion of the justice or court trying any case against any saloon-keeper or other person licensed to sell ardent spirits or malt liquors for violating any provisions of any State statute or city ordinance, the case shall depend on the testimony of a minor who may be charged with violating the provisions of this section, may dismiss the case against the minor in order to obtain his testimony in the prosecution against such saloon-keeper or other person. (October 16, 1909.)

CHAPTER 52.

CONCERNING THE CITY ATTORNEY.

1. There shall be elected by the council of the city of Richmond an attorney for the city, who shall be a resident citizen thereof, and who shall have been admitted to practice in the courts of the Commonwealth. He shall hold his office for a term of two years, unless sooner removed, and until his successor shall be appointed and qualify. He shall give the whole of his time to the discharge of his duties as city attorney, except that any professional business, about which the present city attorney is now under contract to perform on behalf of other persons, may be completed. (April 25, 1907.)

2. The said attorney shall have the management, charge and control of all the law business of the city, and be the legal adviser of the mayor, city council or any committee thereof, and of the several departments of the city government, and when required, shall furnish written or verbal opinions upon any subject involving questions of law submitted to him by them. (Code 1899.)

3. It shall be the duty of said attorney to draft all bonds, deeds, obligations, contracts, leases, conveyances, agreements and other legal instruments, of whatever nature, which may be required of him by any ordinance or order of the city council, or which by any ordinance or order heretofore passed, may be requisite to be done and made by the city, or which may be required by any person or persons contracting with the city in its corporate capacity, and which, by law, usage or agreement, the city is to be at the expense of drawing. It shall also be his duty to commence and prosecute all actions and suits to be commenced by the city before any tribunal in this Commonwealth, whether in law or equity; and also to appear in, defend and advocate the rights and interests of the city, or any of the officers of the city, in any suit or prosecution for any act, in the discharge of their official duties, wherein any estate, right, privilege, ordinances or acts of the city government may be brought in question. When the mayor shall direct a prosecution for a nuisance he shall appear for the prosecution when the case shall come into court; and if the police justice shall require it, he shall appear in such cases before him for the prosecution; and he shall perform such other duties as are or may be required of him for the city by any ordinance or resolution of the city council. (Code 1899.)

4. In full compensation of his services the city attorney shall receive a fixed salary of five thousand dollars (\$5,000.00) per annum, payable monthly. In all cases, however, when the attendance of the city attorney is required out of the city, on business, his reasonable traveling expenses shall be allowed him. (April 25, 1907.)

5. Hereafter when the city attorney is required to construe an ordinance, determine a duty, liability or right of any officer, clerk or employee of the city, he shall require a written request for his opinion, when that is practicable, and shall respond in writing as often and as fully as is reasonable, and each and all such written opinions will be made in duplicate; one copy shall be delivered to the applicant and another copy shall be kept on file in his office, accessible and subject to inspection by any officer of the city government. All opinions, on whatever subject, furnished to any department, head of department, officer, commission, committee or the council of the city, shall be treated as prescribed herein (June 16, 1905.)

6. The city attorney shall occupy the rooms provided for him on the third floor of the City Hall. He shall, between the first day of January, 1906, and the first day of March, 1906, and biennially between the said dates thereafter, cause not less than fifty nor more than one hundred copies of his opinions rendered during the two preceding years to be printed and bound in suitable form for distribution among the officers of the city government. (June 16, 1905.)

7. The city attorney is hereby authorized to employ in his office a stenographer and typewriter competent to discharge such duties as he may direct in connection with his office, and said stenographer and typewriter shall keep open and accessible one of the rooms assigned to the city attorney during the meeting of either branch of the council and be prepared to do stenographic and typewriting work for the members of the board of aldermen and common council in order to facilitate the transaction of business by said bodies. For his services to be rendered the city of Richmond such stenographer shall receive compensation at the rate of eighty dollars per month, to be paid monthly, and to be provided for in the same manner as other salaries. (May 10, 1910.)

8. That the city attorney be, and he is hereby, expressly authorized and empowered to appoint some resident citizen of Richmond, who shall have been admitted to practice in the courts of the Commonwealth as an assistant, the term of such assistant to be coincident with that of the city attorney. Said assistant may, at any time, be removed by the city attorney and some other qualified person appointed in his place. He shall, so far as required by the city attorney, discharge and perform any of the duties now imposed by law upon the city attorney, and in the discharge of such duties shall be under the direction and control of the city attor-

ney. In full compensation of his services the assistant to the city attorney shall receive a fixed salary of two thousand four hundred dollars (\$2,400.00) per annum, payable monthly, and in all cases where the attendance of said assistant is required out of the city on business his reasonable traveling expenses shall be allowed him. (October 23, 1907, and June 18, 1910.)

CHAPTER 53.

CONCERNING THE POLICE JUSTICE, THE CIVIL JUSTICE AND JUSTICES OF THE PEACE.

1. There shall be elected by the city council a police justice, who shall hold his office for the term of four years, unless sooner removed, and until his successor shall be elected and qualify. The said police justice shall hold a court daily, except Sunday, in said city, in such place as the city council may designate. The jurisdiction of the court shall extend to all cases arising within the jurisdictional limits of the city, of which a justice of the peace may take cognizance under the criminal laws of the State, and to all cases arising under the charter or ordinances of the city. (Code 1899.)

2. That the police justice of the city of Richmond shall hold his court in the room in the basement of the City Hall building, now set apart and used for that purpose, and designated as police court room, and there shall be used in connection therewith, for the convenience of the police justice and the clerk and the other officers of the police court such rooms adjoining the said court-room as the committee on grounds and buildings may designate and equip for that purpose. (March 12, 1909.)

3. In order to prevent the over-crowding of the said court-room, as well as the likelihood of the spread of contagious diseases, and to promote the orderly dispatch of business by said court, the police justice shall establish and promulgate rules and regulations that shall exclude from said court-room, during the sitting of said court, all persons other than accused persons, witnesses, police officers, officers of the city and State governments, having business before said court, practicing attorneys, and such other persons holding cards of admission granted by the police justice or the mayor of the city of Richmond. The rules and regulations so established shall be printed and posted at the entrance of said court-room. It shall be the duty of the police justice, the police officers and the officers of said court to enforce such rules and regulations. Any person violating this section, or entering said court-room without being entitled so to do, or violating said rules and regulations, shall be liable to a fine of not less than two nor more than five dollars for each offence, recoverable before the police justice of the city of Richmond. (March 12, 1909.)

4. The police justice shall nominate to the city council three persons as a clerk, and from the number thus nominated the city council shall elect one to serve as clerk of the police justice. The said clerk shall perform such duties as may be required of him by the police justice. (January 20, 1903.)

5. The police justice shall not be entitled to receive any fees as a justice of the peace, but shall receive, in full compensation for his services, a salary of two thousand six hundred and fifty dollars per annum, payable monthly. The clerk of the police justice shall receive in full compensation for his services a salary of twelve hundred dollars per annum, payable monthly. (March 16, 1907.)

6. All the fines and penalties imposed by the said police justice, and all the moneys that shall be paid to or received by him as such, shall belong to the city; and the said police justice shall report on oath to the city council at the first regular meeting thereof in each month, during the term for which he shall be elected, the number and names of persons fined by him, and the names of persons against whom judgment shall have been rendered by him for any penalty or penalties respectively; and all moneys collected or received by him as such police justice for fines and penalties hereinbefore declared as belonging to the city, shall, on the first Monday in each and every month, during his term of office, be reported by him on oath to the city auditor and paid to the city treasurer. After these reports have been submitted and approved by the city auditor, he shall file them successively as they are received with the other papers and documents belonging to his office. All claims for expenses incident to the conduct of his office, the said police justice shall endorse with his approval, and submit the same to the board of police commissioners for payment, which, if approved, shall be paid out of the police contingent fund. Any neglect to comply with the provisions of this section shall be good ground for the removal from office of said police justice. (Code 1899.)

7. It shall be the duty of the police justice, on the first Monday in June, the first Monday in December, in every year, to deliver an account, verified by his oath, to the city council, of all moneys, goods, wares and merchandise then remaining unclaimed in the custody of his court, and immediately thereafter to give notice daily, for two successive weeks, in two of the newspapers printed in the city, to all persons interested or claiming such property, that unless claimed by the owner, with satisfactory proof of such ownership, before a specified day, the same shall be sold at public auction to the highest bidder. On the day, and at the place specified in said notice, all property remaining unclaimed, except money, shall be sold at auction by said police justice, or under his direction. If any goods, wares, merchandise and chattels of a perish-

able nature, or which shall be expensive to keep, shall at any time remain unclaimed in the custody of said court, it shall be lawful for said police justice to sell the same at public auction, at such time and after such notice as to him shall seem proper. The said police justice shall, immediately after the sale of any property in accordance herewith, pay to the city treasurer, as aforesaid, all money remaining unclaimed in his hands as such police justice, and all moneys received by him upon such sale, after deducting the expenses thereof. (Code 1899.)

8. It shall be the duty of said police justice, whenever he shall obtain possession of any stolen property, on his receiving satisfactory proof of property from the owner, to deliver such property to the owner thereof on his paying all necessary and reasonable expenses which may have been incurred for the preservation or sustenance of such property. But no property shall be sold or delivered in pursuance of this or the preceding section, if the Commonwealth's attorney for the city shall direct that it shall remain unsold or undelivered for the purpose of being used as evidence in the administration of justice. (Code 1899.)

9. All dockets and other books kept by said police justice shall at all times be subject to the inspection or examination of the city attorney, the city council or any member thereof. (Code 1899.)

10. It shall be the duty of the board of police commissioners, when so requested by the said police justice, to detail one or more of the city police to attend the court of said police justice, and perform such duties therein as may be required by the same. (Code 1899.)

11. If any person who has been duly summoned as a witness to attend and give evidence before the police justice touching any matter or thing pending before him under the charter, or any ordinance of the city, shall fail to attend in obedience to the said summons, he or she may be fined, at the discretion of the police justice, in a sum not exceeding twenty dollars. (Code 1899.)

12. At the first meeting of the city council in the month of July in each year, or as soon thereafter as practicable, the council shall designate first, second, third, and so forth, justices of the peace of the city. And whenever the police justice shall be absent from the city, or unable from any cause to hold his court, the same shall be holden by a justice of the peace to be designated by the city council. And when the said court shall be holden by a justice of the peace six or more days in succession, he shall be entitled to receive therefor the same compensation, pro rata, that is prescribed as salary for the police justice. The compensation to a justice of the peace herein referred to shall be paid out of the police contingent fund, on the order of the board of police commissioners; the claim for said service being first certified by the police justice as correct,

or, in his absence, by the oath of the justice of the peace so serving, that he has performed the duty hereinbefore named. (Code 1899.)

13. There shall be elected by the city council a bailiff of the police court, who shall hold his office for two years, unless sooner removed by the council, the mayor or the police justice. The said bailiff shall have charge of the police court rooms, and the furniture and other property contained therein; and be held responsible for the safe keeping and proper protection of the same. He shall have the care of keeping, cleaning, warming and lighting the said building. (Code 1899.)

14. He shall attend all courts held by the police justice, and shall perform such other services as may be required of him by the police justice. (Code 1899.)

15. The said bailiff shall have the power and authority of a policeman, and shall receive in compensation for his services two dollars and a half per day. (Code 1899.)

16. Whenever any person is brought before the police justice of the city of Richmond charged with a violation of any city ordinance, and such person is known to the police justice, or on satisfactory evidence is shown to the police justice, to be a confirmed drunkard, neglectful of his family by reason of drinking habits or otherwise, is an idler or loafer, or habitually lives on the earnings of his wife or children or other persons, the justice may, in his discretion, continue the case to some day to be fixed for its further consideration and final determination, and pending such final decision, the defendant may be bailed on his own recognizance in such sum as the police justice may think reasonable. The said justice shall obtain from the defendant his full name, residence, business and such other information as he may deem desirable in regard to such case, which information the said police justice shall certify to a police officer to be known as a "probation" officer, whose appointment is hereinafter provided for, and it shall be the duty of the said officer during the time for which the defendant is on probation, as far as practicable, to observe and supervise the conduct of the defendant, and on the day on which said case is set for trial to report thereon to the police justice, and if, on the day on which the defendant is required to appear, the said officer shall report that the defendant has been sober, industrious and commendable, the said justice may, in his discretion, again admit the defendant to bail upon the same terms as before, or may, if he so determine, postpone the case indefinitely and the defendant shall be so notified and shall not be required to appear to answer said charge except under new proceedings for a violation of some city ordinance. Any defendant failing to appear on the day to which he is bailed may be dealt with by the said justice as for contempt, and his recognizance may be declared forfeited. (April 10, 1908.)

17. The board of police commissioners of the city of Richmond be, and they are hereby, requested to designate a member of the police force of the city of Richmond to be known as a probation officer, who, when required by the police justice, under the authority of the foregoing section, shall make personal investigation of any case referred to him of the defendant's surroundings; the condition of the family; the character, past and present, of such individual and family and his habits, by close and constant observation of the conduct of such defendant, and to report thereon to the police justice the result of such investigation under rules and regulations to be prescribed by the police justice, and in making such investigation and report such officer shall be fully vested with police powers. (April 10, 1908.)

18. That the compensation of the probation officer of the police department be, and is hereby, fixed at eleven hundred dollars per annum, payable monthly. (November 18, 1909.)

19. That the salary of the civil justice, whose appointment, jurisdiction and duties are provided for by the Act of the General Assembly of Virginia approved March 5, 1908, is hereby fixed at the sum of three thousand dollars (\$3,000.00) per annum, to be paid out of the treasury of the city of Richmond in monthly instalments, as the salaries of other city officers are paid; provided, however, that no installment of his salary shall be paid except upon his certificate in writing that he has disposed of all cases which were submitted to him for decision more than thirty days previous to the date upon which any installment falls due. At or before the time of hearing had before said civil justice of any claim, the plaintiff in such claim shall pay to the civil justice a trial fee of fifty cents for each one hundred dollars of value or fraction thereof claimed in the warrant, which fee shall be taxed as a part of the costs, and said justice shall monthly make a written report to the auditor of the city of Richmond showing in detail the amount of fees received by him on account of warrants instituted in his court, and shall at the same time pay into the treasury of the city of Richmond the aggregate amount of such fees shown by such report to have been collected by him, and the auditor and treasurer of the city of Richmond are hereby directed and required to receive and cover into the treasury such sums so to be paid by the justice, and credit the same to an account to be known as "civil justice fees." (November 14, 1908.)

20. That the salary of the substitute civil justice of the city of Richmond, whose appointment, jurisdiction and duties are provided for by section five of an act of the General Assembly of Virginia, approved March 5, 1908, as amended, is hereby fixed at the sum of ten dollars (\$10.00) per day for each and every day that the said substitute civil justice may be called upon to perform the duties of the said civil jus-

tice. Such compensation to be paid out of treasury of the city of Richmond, upon the approval of the account by the civil justice and the judge of the Hustings Court of said city, at the end of each calendar month in which such services may be performed, and upon warrants signed by the chairman of the committee on finance. Such amounts, when paid, to be charged to the account of "courts and juries"; provided, however, that no payment shall be made for services performed by the substitute civil justice, except upon his certificate in writing that he has disposed of all cases which were submitted to him for decision more than thirty days prior to the date of such payment. (May 17, 1910.)

21. The justices of the peace of this city shall be entitled to receive the same fees and compensation for their services as are now allowed by law to the justices of the peace of the State, and shall also be allowed a fee of fifty cents against the complainant for issuing every warrant of arrest or other process for the commencement of proceedings for a violation of city ordinances or any other criminal prosecution; which fees the said justices shall be entitled to demand before issuing any such warrant or process. (Code 1899.)

CHAPTER 54.

CONCERNING FINES AND PENALTIES.

1. Fines and penalties for the violation of any ordinance of the city, or any order of the police justice given in pursuance of any ordinance, shall be recoverable by prosecution before the police justice in the police court; and when recovered shall inure to the use of the city. (Code 1899.)

2. Minors shall be prosecuted for breaches of ordinances in the same manner and to the same effect as adults; and if the minor be not an indentured apprentice, the fine may, in the discretion of the police justice, be imposed either on the minor or on his father or guardian; and if the offender be an indentured apprentice, upon the master or apprentice. For any violation of any ordinance by a married woman, the prosecution shall be against her husband, and the fine imposed on him. (Code 1899.)

3. When judgment shall be rendered for any fine under an ordinance, and the same be not immediately paid, the police justice shall issue executions thereon, to be levied on the goods and chattels of the person against whom such judgment is rendered, directed to any police officer of the city, returnable within fifteen days before the police justice. The officer who may levy such executions shall sell the property thereby taken at public auction, for cash, at one of the market-houses in the city, after three days notice of the time and place of sale, published in one of the daily papers printed in the city, to satisfy said execution, and all costs attending the levy and sale thereof. (Code 1899.)

4. Whenever any fine or penalty prescribed by the city ordinances is imposed, but not paid, the police justice may, if no appeal be taken, and no imprisonment be elsewhere authorized, order the party to be imprisoned in the city jail for a period of not less than five nor more than thirty days. Whenever hereafter the police justice shall, under any ordinance, impose a fine, but shall not order the party to be imprisoned in the city jail, he may, unless an appeal be taken forthwith, issue a writ of fieri facias for said fine, directed to the sergeant of the city. Such writ shall be made returnable to the said police justice within sixty days from its issuance. (Code 1899.)

CHAPTER 55.

CONCERNING THE HUSTINGS COURT.

1. In addition to the powers and authority vested in the Hustings Court for the city of Richmond by the laws of the State, the said court shall have appellate jurisdiction, to hear and determine appeals from the police justice, in all cases in which the constitutionality or validity of any ordinance of the city shall be drawn in question, or where a fine shall be imposed, or the application for a fine shall be refused for a nuisance, or an order made or refused for abating it, if the alleged nuisance is caused by the pursuit of any trade or manufacture, or by the occupation of the streets and alleys of the city under a colorable and bona-fide claim of title; and such appeals shall be as well for the city as for individuals or corporations, and shall be allowed in the same mode and upon the same terms as other appeals from the judgment of the police justice are allowed. (Code 1899.)

2. During the absence of the judge, or his inability from any cause to hold a term of his court, or to sit in any particular case, or to discharge any duty required by law, the said term may be held, or said cause tried, or said duty performed, by any circuit judge, or by the judge of the chancery court of the city of Richmond; provided, however, that no extra compensation shall be allowed therefor. (Code 1899.)

3. The said Hustings Court shall be held by the judge in the City Hall of the city of Richmond, unless otherwise ordered by resolution of the city council; and there shall be a term of said court for each month in the year, except the months of August and September, commencing on the first Monday in the month, and continuing so long as the business before the court may require. (Code 1899, and Acts 1908, 265.)

4. Hereafter no allowance will be approved by the council for services rendered by the sergeant in attending on the Hustings Court. (Code 1899.)

5. That the city sergeant shall be entitled to receive out of the city treasury for receiving each person into the city jail, committed thereto for a violation of the ordinances of the city, or under a *capias pro fine* issued for a failure to pay a fine imposed for a violation of such ordinances, the sum of twenty-five cents; for keeping and supporting each of such prisoners therein, where there are confined also in said jail not more than ten prisoners committed thereto for offences against the Com-

monwealth of Virginia, thirty cents; where there are confined also in said jail not more than twenty-five prisoners committed thereto for offences against the Commonwealth of Virginia, twenty-five cents; where there are confined also in said jail not more than fifty prisoners committed thereto for offences against the Commonwealth of Virginia, twenty-three cents; and where there are confined also in said jail any number of prisoners in excess of fifty, committed thereto for offences against the Commonwealth of Virginia, eighteen cents. It shall be the duty of the city sergeant to make out a monthly statement, showing the name of the prisoner on account of which he claims compensation, the date of his committal, the offence for which committed, and the term of confinement, and the amount of compensation to which he is entitled under this ordinance, and present the same to the committee on finance, verified by affidavit; and thereupon the said committee shall examine the same, and, if found correct, shall certify the same to the auditor of the city for payment; but no payment shall be made out of the city treasury until such account shall be first approved and ordered to be paid by the committee on finance. (March 30, 1900.)

CHAPTER 56.

CONCERNING PAY OF JURORS AND OF REGISTRATION AND ELECTION OFFICERS.

1. Hereafter the auditor of the city shall be authorized to pay to the sheriff of this city the amounts due to jurors for services rendered in the circuit and chancery courts, and to the sergeant of this city the amounts due to jurors for services rendered in the hustings courts, upon orders of said courts, certified by their respective clerks. (Code 1899.)

2. The said auditor shall not pay any amount for jury service, in any of the aforementioned courts, to any person other than the officers named in the foregoing section, or their legally qualified deputies, and then only upon such orders as are mentioned in said section. (Code 1899.)

3. The said auditor is hereby authorized to pay from the funds appropriated to courts and juries, the fee of one dollar allowed by law to each person serving on a jury of inquest, whenever a proper certificate of the coroner shall be presented by such person evidencing such service, and showing that the estate of the deceased person is unable to pay the expenses of such inquest. (Code 1899.)

4. The officers engaged in conducting registrations hereafter to be held in this city shall be entitled to receive for their services as follows: One registrar at each precinct, one dollar for posting notices and five dollars for services as registrar; one clerk at each precinct, two dollars and fifty cents. (Code 1899.)

5. The officers engaged in conducting elections hereafter to be held in this city shall be entitled to receive for their services as follows: Three judges at each precinct, five dollars each for each election; two clerks at each precinct, five dollars each for each election; one constable at each precinct, five dollars each for each election. (Code 1899.)

6. The persons serving as commissioners of elections hereafter to be held in this city shall be entitled to receive for their services five dollars each for each election; and should they require the services of a messenger he shall be entitled to receive for said service five dollars, on the certificate of the commissioners that he has rendered said service. (Code 1899.)

7. Registrars who have claims against the city shall file with the auditor of the city a sworn statement of the nature and extent of their services, and if the claim includes any charge for the registration of

voters previous to the regular registration day, the statement shall set out in full the name of each voter so registered and the day of the month on which each name was registered; and payment shall be made for such names only as are thus listed and dated. The committee on printing and claims shall not approve for payment, nor shall the auditor pay, any registrar's claim for services not properly and fully made and sworn to as provided herein. (Code 1899.)

8. The salary of the secretary of the electoral board shall be one hundred dollars per annum. (Code 1899.)

9. Hereafter all matters and claims relating to elections or expenses incidental thereto, and all moneys appropriated therefor, shall be under the charge of the committee on printing and claims. Said committee shall also audit the pay rolls and bills of the Virginia Mechanics' Institute, which are chargeable to the appropriation or appropriations made to the credit of said institution by the city. (April 20, 1908.)

10. That it shall not be lawful for any city official, employee or member of any municipal board in connection with the city government to serve as judge, registrar or clerk at any election, regular or primary, or as member of any standing committee of any political party. Any violation of this section shall be punished on conviction thereof, before the police justice of the city of Richmond, by a fine of not less than ten dollars nor more than fifty dollars and by the forfeiture of the office, and such conviction shall operate as a discharge from employment or office under the city government. (July 15, 1904, *Richmond v. Lynch*, 106 Va. 324.)

CHAPTER 57.

CONCERNING THE CORONER OF THE CITY.

1. A room with the necessary furniture and fixtures shall be provided under the direction of the committee on grounds and buildings, to be under the control and management of the coroner of the city, for the use of the said coroner in taking inquests, and in the making of post-mortem examinations, and discharging any other duties of his office. (Code 1899.)

2. The coroner shall report semi-annually to the city council all cases in which he shall be called upon to examine a dead body, and shall examine the same, stating the nature of the case and the apparent cause of the death. (Code 1899.)

3. The salary of the coroner of the city of Richmond is hereby fixed at two thousand two hundred and fifty dollars per annum, payable monthly, said salary to commence July 1, 1898. (Code 1899.)

4. Where the coroner is called to see a dead body and there are no friends of the deceased who will bury the same, he shall have the body decently buried, and shall be allowed the reasonable expenses attending said burial. But this section shall not apply to cases provided for by section 3946 of chapter 192 of the Code 1887. (Code 1899.)

CHAPTER 58.

CONCERNING THE POLICE DEPARTMENT.

(Memo: See sections 84 to 92 inclusive of the charter of the city of Richmond concerning the organization, management and duties of the board of police commissioners.)

1. The police force shall consist of the members of the board of police commissioners and one hundred and thirty-three (133) men, and the said board shall elect therefrom such officers as they shall deem necessary for the proper discipline and management of the force, for such terms, not exceeding three years, as they may determine, but no member of the board of police commissioners shall be eligible to election as an officer of said force. The force shall, in all criminal cases, have the same powers, perform the same duties, and be subject to the same penalties as are prescribed by law for constables. (August 13, 1910.)

2. Each officer of police shall report to the chief of police every nuisance or obstruction that he may find in any drain, gutter or other part of a street or alley, or that he has reason to believe or is informed is in any house, or upon any land in the city; and shall execute the orders of the police justice or of the mayor in regard to any such nuisances or obstructions. Each of them shall, when in his opinion repairs are required, without delay report the same, if they be required to a street or public alley, to the superintendent of streets; and if to a pipe, hydrant or other fixtures of the water works, or any fixture of the gas works, in a street or public alley, to the respective superintendents of such works. Each of them shall report to the chief of police every violation of any ordinance of the city that he has reason to believe or is informed has been committed, and make such reports and give such other notices and information as may be prescribed by any ordinance, or be useful in the enforcement thereof. (Code 1899.)

3. The whole of the police force shall endeavor to prevent the commission of offences in the city, and to preserve the good order and peace thereof, and secure its inhabitants from personal violence, and their property from loss and injury; and shall generally have power to do whatever may be necessary to these ends. Every member of the force shall earnestly endeavor, when any offence is committed in the city, to detect and arrest the offender, and strive to enforce all ordinances prescribing any fine or punishment for, and all acts of assembly relating to, offences

in the city or the police thereof. Although an officer or policeman be applied to when it is not his time for regular duty, he shall, upon application, whether in the day or night, do all that the emergency requires. No member of the police force shall absent himself from the city without having obtained the written consent of the mayor. Nor shall any member of the police force go out of the corporate limits to perform the duties of police officer or detective, or to assist in performing any such duty, unless a formal requisition has been made on the mayor, by the mayor or other presiding officer of the city, town or county requiring his services, and then only to act in strict accordance with the written instructions given by the mayor of this city, prescribing also the length of time he shall be absent. And any one acting in violation of this restriction shall have his pay stopped from the day he leaves the city, and be summarily dismissed from the service. (Code 1899.)

4. It shall be the duty of the chief of police, in person, at least twice in each month, to explore all the streets and alleys of the city, and to give information, and prosecute for the violation of the laws of the State and the ordinances of the city concerning any matter of police regulation, and by all legal means to endeavor to enforce the same; and he shall attend at police headquarters each morning at nine (9) o'clock to receive the reports of the captains of police as to the condition of their districts during the previous twenty-four (24) hours, and especially shall they report all offences therein committed, either against the laws of the State or the ordinances of the city, and the names, if known, of the persons committing the same, and whether said offenders were arrested, and the names of all persons whom they may deem to be material witnesses against such offenders. They shall also report to said chief of police all misconduct or neglect of duty by any sergeant or policeman under their command. (Code 1899.)

5. The mayor shall, from time to time, make report to the city council of the state of the police, with such suggestions for its improvement as he may see fit, or as may be recommended by the board of police commissioners. (Code 1899.)

6. The city attorney shall, when required by the board of police commissioners, or the mayor, prepare forms in respect to any matter connected with the police of the city; of which the said board or the mayor may have blanks printed at the expense of the city for the use of the police. (Code 1899.)

7. No officer appointed to any office under this ordinance shall receive from the city, for services in such or any other office, any other compensation than is herein mentioned. And every policeman shall, upon oath, account for and pay over daily to the officer under whose command

he is at the time, all costs that he may receive, and all sums he may be entitled to as informer, with all money to which the city may be entitled; and the officers of police shall in like manner, with their daily reports to the chief of police, account for and pay over to him all such moneys, and all the moneys received by them to which the city is entitled. And the chief of police shall, in the first four days of every month, in like manner, account for and pay into the treasury of the city all such moneys. And no member of the police shall receive a gratuity from any person whatever. But he may receive any reward which may be advertised for the apprehension of criminals, or which may be offered by the executive of the State, or by the municipal authorities of the city. (Code 1899.)

8. The board of police commissioners shall fix on the uniform, badges, and numbers for the captains of police, the sergeants, and policemen, which shall always be worn by them when they appear in public whether they are on duty or not; and the badges and numbers shall be furnished at the expense of the city. Every person applying at the station-houses shall be entitled to have the name of any person wearing the particular number that the applicant may name. Every policeman, unless it shall be otherwise ordered by the board, shall be armed ordinarily with a baton not less than twenty-two inches long and one and three-quarters inch thick, at the expense of the city, and, in cases of emergency, with revolvers and other suitable weapons; and the chief of police shall procure a suitable quantity of such weapons, with which he may arm the police, furnishing them also with badges; and each person shall give his receipt for such weapons and badges as he may receive, which shall remain the property of the city. The board of commissioners shall have authority, if they think proper, to provide a suitable number of muskets for each station-house, herewith to arm the police in cases of great emergency. (Code 1899.)

9. If any person except a policeman shall publicly wear any such uniform, badge, or number as may be worn by a policeman, he shall forfeit and pay for such offence not less than one nor more than twenty dollars. (Code 1899.)

10. It shall not be lawful for any officer or policeman to be employed to attend at any theatre or other place of public amusement or entertainment. (Code 1899.)

11. If any member of the police shall be found to frequent any of the public houses or bar-rooms where spirituous or fermented liquors are vended, except in his official capacity, and if it shall be ascertained that any of them are in the habit of using intoxicating liquors to excess, it shall be sufficient cause for the immediate dismissal of such offending member. (Code 1899.)

12. If any person resist any officer of police or policeman in the discharge of his duty, he shall pay a fine of not less than ten nor more than twenty dollars, and in default of the payment of said fine he shall be confined in jail not less than thirty nor more than sixty days. And if any person shall fail or refuse to aid or assist any officer of police or policeman when in the discharge of his duty, when called upon so to do by such officer or policeman, or by word or act interfere with or obstruct any police officer while in the discharge of his duty, he shall be fined not less than five nor more than twenty dollars; and in default of the payment of the said fine he shall be confined in jail not less than twenty nor more than sixty days. (Code 1899.)

13. There shall be an annual appropriation of five hundred dollars, to be designated the secret-service fund. The mayor may from time to time draw on the said fund for such sums as he may think necessary in detecting and arresting offenders; and shall keep a book specifying the sums drawn, and for what special purposes used; which book, on request, he shall exhibit to the chairman of the committee on finance. (Code 1899.)

14. The compensation to be paid members of the police force for services rendered shall be as follows:

Chief of police: two thousand dollars per annum.

Clerk police department: twelve hundred dollars per annum.

Captains: thirteen hundred dollars per annum each.

Sergeants: eleven hundred dollars per annum each.

Privates: one thousand and three dollars and seventy-five cents per annum each, and shall be payable monthly, and any policeman prevented by sickness from doing service shall receive the same pay upon his producing the certificate of the surgeon of police that he was sick. All bills of expense on account of the police department shall be audited by at least two of the police commissioners. (May 7, 1907.)

15. That the police commissioners of the city of Richmond be, and they are hereby, authorized and empowered to appoint one police officer in addition to the number now required by ordinance, which police officer shall have all the powers of other police officers and subject to all the ordinances in relation to them not in conflict with this ordinance, except that such officer shall be assigned to special duty at the Bijou Theatre, and his special duties shall be defined by rules and regulations to be adopted by the said police commissioners; provided, however, that no appointment shall be made under this ordinance until the Bijou Company shall enter into a contract with the city of Richmond to pay monthly into the treasury of the city a sum equal to the pay and expense of the said police officer; and, provided, further, whenever the Bijou Company shall fail to provide for the pay and expenses of the said officer

as hereby required, the police commissioners shall have power to remove, and shall remove from office, any police officer appointed under this ordinance. (May 28, 1903.)

16. That the compensation of the probation officer of the police department be, and is hereby, fixed at eleven hundred dollars per annum, payable monthly. (November 18, 1909.)

17. That the board of police commissioners be, and they are hereby, authorized and directed, upon the recommendation of the superintendent of the fire alarm and police telegraph, to appoint a lineman for the police patrol and telegraph system, whose compensation shall be at the rate of seventy-five dollars per month, payable as the salaries of city officers are paid. The said lineman shall be subject to the control and under the direction of the said superintendent of fire alarm and police telegraph, and do such work and perform such services as he may direct. (August 28, 1908.)

CHAPTER 59.

CONCERNING THE APPOINTMENT, COMPENSATION AND DUTIES OF THE
BUILDING INSPECTOR AND THE EMPLOYEES IN HIS OFFICE.

1. There shall be elected by the city council a properly qualified building inspector, who shall hold his office for a term of two years unless sooner removed. His present term shall continue until the first day of July, 1910. He shall execute bond in the mode prescribed by ordinance in the penalty of five thousand dollars with approved security, conditioned for the faithful performance of the duties of his office. The salary of such building inspector shall be twenty-five hundred dollars per annum, and he shall be authorized to appoint three deputy building inspectors whose salary shall be twelve hundred dollars per annum each, and a clerk in his office whose salary shall be one thousand dollars per annum, said salaries to be paid monthly as the salaries of other city officers are paid. (August 20, 1910.)

2. Suitable offices shall be assigned by the committee on grounds and buildings for the use of the said inspector and his employees, and the said building inspector, deputy inspector and clerk shall devote their entire time to the duties of their respective offices. The building inspector shall enforce all laws and ordinances now existing or hereafter enacted in regard to the erection or safety of walls and buildings, and shall have such authority and perform such duties in this connection as are now given to and imposed upon the city engineer or other officer, or are herein or may hereafter be imposed upon said inspector. He shall report in writing to the chief of the fire department, city electrician, the chief of police and the city engineer and all other proper heads of departments, all matters concerning their respective departments, which, by virtue of his office, may come under his observation, and shall, to the utmost of his ability and influence, insist upon the enforcement of the building and electric wiring ordinances, and all rules and regulations in relation thereto, and when necessary, in his discretion, he may refuse to grant, or may revoke building permits for a violation of such ordinances. (August 17, 1908.)

3. It shall be the duty of the building inspector, when directed by the city council, or when requested by any committee thereof or any board created by the charter of the city of Richmond, to supervise the construction, repair or alteration for the city of Richmond of any municipal

building in course of erection, repair or alteration, and from time to time report to the council or to the committee or board making the request, as the case may be, whether the contractor, sub-contractor or other person concerned in the erection, construction, repair or alteration of such building is making satisfactory progress towards the completion of the same, and is, in such work, conforming to the plans and specifications as to the manner and materials of construction provided in the contract; and on like direction or request he shall inspect said building when the work of construction is completed and make a like report as to whether the same has been constructed and completed in accordance with contract. (August 17, 1908.)

4. The deputy building inspector, under the direction of the building inspector, shall aid and assist him in the performance of his duties in accordance with rules and regulations to be adopted by him for that purpose, and in the absence of the said inspector or when from any cause he is unable to act, the deputy building inspector may perform any of the duties imposed upon the building inspector by the ordinances of the city. (August 17, 1908.)

5. In order to facilitate the administration of the affairs of his department and to allow of prompt inspection of work for which applications may be filed in his office, the building inspector of the city of Richmond shall have the use of a horse and buggy to be purchased and owned by the city. The said horse and buggy shall be kept and maintained at the expense of the city, and for this purpose the sum of two hundred and forty dollars shall be provided annually. (July 17, 1908.)

CHAPTER 60.

CONCERNING THE CONSTRUCTION, EQUIPMENT, ALTERATION AND REPAIR
OF BUILDINGS AND THEIR REMOVAL OF DEMOLITION WHEN
UNSAFE, AND CREATING AND DEFINING THE DUTIES
OF THE BOARD OF PUBLIC SAFETY.

BUILDING CODE.

1. That the regulations embraced in the following sections of this ordinance shall constitute and be designated and cited as "The Building Code."

NEW BUILDINGS AND BUILDINGS TO BE ALTERED.

2. No wall, structure, building or part thereof, shall hereafter be built, constructed or altered, built upon, raised or moved in the city of Richmond, except in conformity with the provisions of this Code.

WHAT CONSTITUTES A BUILDING.

Any structure having a roof, whether with or without one or more enclosing walls, shall be considered to come within the operations of this law regardless of the character of constructions or material.

FILING PLANS AND STATEMENTS.

3-a. Before the erection, construction or alteration of any building or part of any building, structure, or part of any structure, or wall, or any platform, staging or flooring to be used for standing or seating purposes, or the erection of any such sign as is hereinafter provided for, and before the construction or alteration of the structure is commenced, except as hereinafter provided, the owner or his authorized representative, shall submit to the building inspector, a detailed statement on "Application Blanks," to be furnished by the building in-

spector, accompanied by two blue or black print plans and two sets of specifications, one of which, if approved, to be filed by the building inspector and the other, after being marked "Approved" to be returned to the owner; said drawings and specifications shall clearly set forth the method of construction proposed.

And the erection, construction, or alteration of said buildings, structure, wall, platform, staging or flooring, or any part thereof, shall not be commenced or proceeded with, until said application, statements, plans and specifications, shall have been so filed and approved by the building inspector.

And the erection, construction or alteration of such building, structure, platform, staging or flooring when proceeded with shall be constructed in accordance with such detailed statement of specifications and copy of plans as approved by the building inspector.

Nothing in this section shall be construed to prevent the building inspector from granting his approval for the erection of any part of a building, or any part of a structure, where plans and detailed statement have been presented for the same before the entire plans and detailed statements of said building or structure have been submitted.

TIME LIMIT FOR PERMITS.

b. Any permit which may be issued by the building inspector pursuant to the provisions of this section, but under which no work is commenced within ninety (90) days from the time of issuance, shall expire by limitation.

ORDINARY REPAIRS.

c. Ordinary repairs of buildings or structures, may be made without notice to the building inspector, but such repairs shall not be construed to include the cutting away of any stone or brick wall, or any portion thereof, the removal or cutting of any beams or supports, or the removal, change or closing of any staircase.

APPROVAL OR REJECTION OF PLANS.

d. It shall be the duty of the building inspector to approve or reject any plan filed with him pursuant to the provision of this section within ten (10) days.

DEMOLISHING BUILDINGS.

4. When plans and detailed statements are filed in the office of the building inspector for the erection of a new building, if an existing build-

ing or part of an existing building is to be demolished, such facts shall be stated in the statement so filed.

MEASUREMENT OF HEIGHT FOR BUILDINGS AND WALLS.

5. The height of buildings shall be measured from the curb level at the center of the front of the buildings to the top of the highest point of the roof beams in the case of flat roofs; and for high pitched roofs the average of the height of the gable shall be taken as the highest point of the building.

In the case of flat roofs the measurement for height shall not preclude placing the roof beams level at the ceiling line and blocking up above the beams to get a proper pitch for water on the roofing.

In case a wall is carried on iron or steel girders or iron or steel girders or columns, or piers of masonry, the measurement as to height for the wall, may be taken from the top of such girder.

When the walls of a structure do not adjoin the streets, then the average level of the ground adjoining the walls may be taken instead of the street curb level for the height of such structure.

MEASUREMENT FOR WIDTH AND DEPTH OF BUILDINGS.

6. For the purposes of this Code the greatest horizontal dimensions of any building shall be considered its length.

And the next greatest horizontal dimensions its width.

PRIVATE DWELLING—DEFINITION OF.

7. A private dwelling shall be taken to mean and include every building which shall be intended or designed for, or used as, the home or residence of not more than three separate and distinct families or households, and in which not more than ten (10) rooms shall be used for the accommodation of boarders, and no part of which structure is used as a store or for any business purpose.

Two or more such dwellings may be connected on each story when used for boarding purposes, provided the halls and stairs of each shall be left unaltered.

APARTMENT AND TENEMENT HOUSES—DEFINITION OF.

8. An apartment or tenement house shall be taken to mean and include every building which shall be intended or designed for or used as the home or residence of more than three families.

This definition shall not apply to any two-story house even if occupied by three or more families.

LODGING HOUSE.—DEFINITION OF.

9. A loding house shall be taken to mean and include any house or building or portion thereof in which persons are harbored or lodged for hire for a single night or less than a week at any one time, or any part of which is let for any person to sleep in, for any term less than a week.

HOTEL.—DEFINITION OF.

10. A hotel shall be taken to mean and include every building, or part thereof, intended, designed, or used for supplying food and shelter to residents or guests and having a general public dining-room or a cafe, or both, and containing also more than fifteen (15) sleeping rooms above the first story.

An apartment hotel shall be taken to mean and include every hotel in which the apartments are rented or are intended or designed to be rented in suites, and for terms not less than one (1) month and in which there are no kitchens, dining-rooms, or serving-rooms within the apartments, but where a common dining-room is provided for the use of the tenants.

OFFICE BUILDING.—DEFINITION OF.

11. An office building shall be taken to mean and include every building which shall be divided into rooms above the first story and be intended and used for office purposes, and no part of which shall be used for living purposes, excepting only for the janitor and his family.

FRAME BUILDINGS.—DEFINITION OF.

12. A frame building shall be taken to mean a building or structure of which the exterior walls or a portion thereof shall be constructed of wood.

Buildings sheathed with boards, and partially or entirely covered with four inches of brick or stone work, shall be deemed to be frame buildings.

Wood frames covered with metal, whether the frames are sheathed or not with boards, shall be deemed to be frame structures.

BRICK AND SAND.

13. The brick used in all buildings shall be good sound brick at least two-thirds (2-3) hard.

When old brick are used in any wall they shall be thoroughly cleaned before being used, and shall be good, sound brick, and all shall have at least one square end and be at least one-fourth ($\frac{1}{4}$) whole brick.

The sand used for mortar in all buildings shall be clean, sharp grit sand, free from loam or dirt.

LIME MORTAR.

14. Slaked lime mortar shall be made of one part of lime paste and not more than three parts of sand.

All lime used for mortar shall be thoroughly burnt, of good quality and properly slaked before it is mixed with the sand.

CEMENT MORTAR.

15-a. Cement mortar shall be made of cement and sand in the proportion of one part of cement, and not more than three parts of sand and shall be used immediately after being mixed.

The cement and sand are to be measured and thoroughly mixed before adding water.

Cement must be very finely ground and free from lumps.

CEMENT AND LIME MORTAR.

b. Lime and cement mortar shall contain at least one (1) part Portland cement, four (4) parts lime and ten (10) parts sand, or one (1) part Rosendale cement, two (2) parts lime and eight (8) parts sand.

CEMENTS.

16. Portland cements can be used which will meet the following specifications:

The minimum requirement for tensile strength of the neat cement after twenty-four hours set in moist air, shall be not less than 200 pounds per square inch; after one day in air and six days in water not less than 500 pounds per square inch.

Cements other than Portland cements shall be considered to mean such cements as will, when tested neat, after two days set in air be capable of sustaining without rupture a tensile strain of at least sixty pounds per square inch, and after one day in air and six days in water be capable of sustaining, without rupture, a tensile strain of at least 120 pounds per square inch.

No cements which have become deteriorated by age or damaged by water or dampness shall under any circumstances be used. Whenever in the opinion of the building inspector cements are being used which do not conform to these requirements he may order the manufacturer or the manufacturer's agent to have the same tested or to furnish such tests as will prove the value of any cement that may be under investigation.

CONCRETE.

17. Concrete for foundations shall be made of at least one part of Portland cement, three parts of sand and six parts of clean broken stone of such sizes so as to pass in any way through a two and one-half ($2\frac{1}{2}$) ring.

In lieu of crushed stone, good, clean gravel, free from loam or clay, may be used in the following proportions—viz.:

One part Portland cement and five parts of sand gravel not exceeding a size which will pass through a three (3) inch ring.

The cement, sand, stone or gravel shall be measured and mixed as is prescribed for mortar.

All concrete shall be properly rammed into place until a cream appears upon and covers the entire surface after which, it must be allowed to set without being further disturbed.

QUALITY OF TIMBER.

18. All timber and wood beams used in any building shall be of good sound material, free from rot, large or loose knots, shakes, or any imperfection whereby the strength may be impaired and be of such size and dimensions as the purpose for which the building is intended requires.

TESTS OF NEW MATERIALS.

19. New structural material of whatever nature shall be subjected to such tests to determine its character and quality, as the building inspector shall direct.

The tests shall be made under the supervision of the building inspector, or he may direct the architect or owner to file with him a certified copy of the results of the tests, such as he may direct shall be made.

STRUCTURAL MATERIAL.

20. *Wrought Iron*.—All wrought iron shall be uniform in character, fibrous, tough and ductile. It shall have an ultimate tensile resistance

of not less than 48,000 pounds per square inch, and an elastic limit of not less than 24,000 pounds per square inch, and an elongation of 20 per cent. in eight inches, when tested in small specimens.

Steel.—All structural steel shall have an ultimate tensile strength of from 54,000 to 64,000 pounds per square inch. Its elastic limit shall be not less than 32,000 pounds per square inch and test specimens ruptured in tension, must show a minimum elongation of not less than 20 per cent. in eight inches. Rivet steel shall have an ultimate strength of from 50,000 to 58,000 pounds per square inch.

Cast Steel.—Shall be made of open hearth steel, containing one-quarter to one-half per cent. of carbon, not over eight one-hundredths of one per cent. of phosphorus and shall be practically free from blow holes.

Cast Iron.—Shall be of good foundry mixtures producing a clean, tough, gray iron. Sample bar, five feet long, one-inch square, cast in sand molds, placed on supports four feet six inches apart, shall bear a central load of 450 pounds before breaking. Castings shall be free from serious blow holes, cinder spots, and cold shuts. Ultimate tensile strength shall be not less than 16,000 pounds per square inch when tested in small specimens.

EXCAVATIONS.

21-a. All excavations for buildings shall be properly guarded and protected so as to prevent the same from becoming dangerous to life or limb.

TO PREVENT CAVING IN.

And shall be sheath-piled by the person or persons causing the excavations to be made when necessary to prevent the adjoining earth from caving in.

CARE FOR ADJOINING OR CONTIGUOUS WALLS, STRUCTURES, ETC.

Whenever an excavation of either earth or rock for building or other purposes, shall be intended to be, or shall be carried to the depth of more than ten feet below the curb, the person or persons causing such excavation to be made shall at all times, from the commencement to the completion thereof, if afforded the necessary license to enter upon the adjoining land and not otherwise, at his or their own expense, preserve any adjoining or contiguous wall or walls, structure or structures from injury, and support the same by proper foundations, so that the said wall or walls, structure or structures, shall be and remain practically as safe as before such excavation was commenced, whether the said adjoining

or contiguous wall or walls, structure or structures, are down more or less than ten feet below the curb.

If the necessary license is not accorded to the person or persons making such excavation, then it shall be the duty of the owner or owners refusing to grant such license to make the adjoining or contiguous wall or walls, structure or structures, safe, and support the same by proper foundations so that adjoining excavations may be made, and shall be permitted to enter upon the premises for that purpose, when necessary, where such excavations is being made.

If such excavation shall not be intended to be, or shall not be carried to a depth of more than ten feet below the curb, the owner or owners of such adjoining or contiguous wall or walls, structure or structures, shall preserve the same from injury, and so support the same by proper foundations that it or they shall be and remain practically as safe as before such excavations were commenced, and shall be permitted to enter upon the premises for that purpose, when necessary, where such excavation is being made.

PARTY WALLS.

b. Nothing in this Code shall be construed to change, alter or modify the law of this State in regard to adjoining or party walls, but every person making application for a permit to build, alter or change a building, where it will be, or probably will be necessary or proper to make excavations, changes or constructions which may affect the safety, strength or utility of party walls, shall in his plans and specifications for the work proposed to be done, fully set forth and provide a mode and manner of securing, maintaining or altering the party wall which will be so affected.

RETAINING WALLS.

c. When an excavation is made on any lot, the person or persons causing such excavations to be made shall build on the adjoining lot at his or their own cost and expense, a retaining wall to support the adjoining earth, if accorded the necessary license to enter upon the said adjoining lot, and not otherwise, and such retaining wall shall be carried to the height of the adjoining earth, and be properly protected by coping. If the necessary license is not accorded to the person or persons making such excavation, then it shall be the duty of the owner or owners refusing to grant such license to build the retaining wall on his or their own property at his or their own expense without recourse to the person or persons making the excavation on the premises adjoining thereto.

The thickness of a retaining wall at its base shall be in no case less than one-fourth of its height.

BEARING CAPACITY OF SOIL.

22. Where no test of the sustaining power of the soil is made, different soils, excluding mud at the bottom of the footings, shall be deemed to safely sustain the following loads to the superficial foot, namely:

Soft clay, one ton per square foot;

Ordinary clay and sand together, in layers, wet and springy, two tons per square foot;

Clay or fine sand, firm and dry, three tons per square foot;

Very firm, coarse sand, stiff gravel or hard clay, four tons per square foot;

Or as otherwise determined by the building inspector.

BUILDING INSPECTOR TO BE NOTIFIED OF THE TIME FIXED FOR SOIL TESTS.

Where a test is made of the sustaining power of the soil the building inspector shall be notified so that he may be present, either in person or by representative. The record of the test shall be filed in the office of the building inspector.

PRESSURE UNDER FOOTINGS OF FOUNDATIONS.

23. The loads exerting pressure under the footings of the foundation in buildings more than three stories in height are to be computed as follows:

For warehouses and factories they are to be the full dead load and full live load.

In stores and buildings for light manufacturing purposes they are to be the full dead load and seventy-five per cent. of the live load.

In churches, school-houses and places of public amusement or assembly they are to be the full dead load and seventy-five per cent. of the live load.

In office buildings, hotels, apartment hotels, dwellings, apartment houses, tenement houses, lodging houses and stables they are to be the full dead load and sixty per cent. of the live load.

Footings shall be so designed that the loads will be as nearly uniform as possible, and not in excess of the safe bearing capacity of the soil, as established by section 22 of this Code.

FOUNDATIONS.

24-a. Every building, except buildings erected upon solid rock or buildings erected upon wharves and piers on the water front, shall have

foundations of brick, stone, iron, steel or concrete laid not less than eighteen (18) inches below the surface of the earth, on the solid ground or level surface of rock, or upon piles or ranging timbers when solid earth or rock is not found.

PILES.

b. Piles of wood intended to sustain a wall, pier or post, shall be spaced not more than forty-eight inches, nor less than twenty-four inches on centers, and they shall be driven to a solid bearing, if practicable to do so, and the numbers of such piles shall be sufficient to support the superstructure proposed.

No wood piles shall be used of less dimensions than five inches at the small end and ten inches at the butt for short piles, or piles twenty feet or less in length, and twelve inches at the butt for long piles, or piles more than twenty feet in length.

No wood pile shall be weighted with a load exceeding forty thousand pounds.

When a wood pile is driven to refusal, it shall not be less than fifteen (15) feet in ground; its safe sustaining power in tons shall be determined by the following formula:

Twice the weight of the hammer in tons multiplied by the height of the fall in feet divided by least penetration of pile under the last blow in inches plus one.

The building inspector shall be notified of the time when such test piles of wood will be driven, that he may be present, either in person or by representative.

The tops of all piles shall be cut off below the lowest water line.

When required, concrete shall be rammed down in the interspaces between the heads of the piles to a depth and thickness of not less than twelve inches, and for one foot in width outside of the piles.

CONCRETE PILES.

c. Piles of concrete or reinforced concrete piles may be made of concrete either reinforced or plain.

Plain concrete piles must be molded in place by methods which are reasonably certain to secure perfect, full sized piles; reinforced concrete piles, if properly designed to resist the shock of driving, and if driven with a cushion to lessen the shock, or if put down by a water jet, may be molded, allowed to harden, and then driven or jetted into place.

In case concrete piles are used, whether reinforced or otherwise, their bearing power shall be determined by putting in one or more test piles and loading them after the concrete is sufficiently hard.

The full working load in the structure shall not be more than one-half of the load under which the pile begins to settle.

In no case, however, shall a load on the concrete pile exceed twenty-five tons per square foot of cross-section of concrete, plus 6,000 pounds per square inch of any longitudinal steel reinforcement. Concrete piles shall always be made of mixture not leaner than one part cement, two parts sand and five parts gravel or broken stone.

The gravel or stone must all be capable of passing a one (1) inch ring and the concrete must be mixed by machinery, a batch at a time, and the concrete must be turned over completely at least twenty-five times. One complete revolution of the machine, if not too rapid, will count as one turning of the concrete.

RANGING AND CAPPING TIMBERS.

d. Where ranging and capping timbers are laid on piles for foundations, they shall be of wood, not less than six inches thick and properly joined together and their tops laid below the lowest water line; if above water line, heart pine or oak to be used for capping.

METAL IN FOUNDATIONS.

e. Where metal is incorporated in or forms part of a foundation it shall be thoroughly protected from rust by paint or asphaltum, and be thoroughly imbedded in concrete, or by such materials and in such manner as may be approved by the building inspector.

FOOTINGS FOR COLUMNS.

f. When footings of iron or steel for columns are placed below the water level, they shall be similarly coated and enclosed in concrete for preservation against rust.

FOUNDATION WALLS.

25-*a.* Foundation walls shall be construed to include all walls and piers built below the curb level, or nearest tier of beams to the curb, or to the average level of the ground adjoining the walls, to serve as supports for walls, piers, columns, girders, posts or beams.

Foundation walls shall be built of stone or Portland cement concrete, brick, iron or steel.

If built of rubble stone or Portland cement concrete, they shall be at least four inches thicker than the wall next above them to a depth of

twelve feet below the curb level and for every additional ten feet, or part thereof, deeper, they shall be increased four inches in thickness.

BASE COURSE.

b. The footing or base course shall be of stone or concrete, or both, or of concrete or stepped-up brick work, of sufficient thickness and area to safely bear the weight to be imposed thereon.

If the footing or base course be of concrete, the concrete shall be not less than twelve inches thick.

If the superimposed load is such as to cause undue transverse strain on a footing the thickness of such footing is to be increased so as to carry the load with safety.

For small structures, and for small piers sustaining light loads the building inspector may, in his discretion, allow a reduction in the thickness and projection for footing or base course herein specified.

STEPPED-UP FOOTINGS.

If stepped-up footings of brick are used in place of stone, above the concrete, the off-sets, if laid in single course, shall not exceed two and one-quarter ($2\frac{1}{4}$) inches, and if laid in double courses, then each shall not exceed four and one-half ($4\frac{1}{2}$) inches, offsetting the first course of brick work, back one-half the thickness of the concrete base, so as to properly distribute the load to be imposed thereon.

GRILLAGE IN FOUNDATIONS.

c. Grillage beams of wrought iron or steel resting on a proper concrete bed may be used. Such beams shall be provided with separators and bolts inclosed and filled solid between with concrete, and of such sizes and so arranged as to transmit with safety the superimposed loads.

RUBBLE STONE WALLS AND PIERS.

d. All stone walls twenty-four inches or less in thickness shall have at least one header extending through the wall in every three feet in height from the bottom of the wall, and in every three feet in length, and if over twenty-four inches in thickness, shall have one header for every six superficial feet on both sides of the wall, laid on top of each other to bond together, and running into the wall at least two feet.

All headers shall be at least twelve inches in width and eight inches in thickness and consist of good flat stones.

No stone shall be used that does not bond or extend into the wall at least six inches.

Stones shall be firmly bedded in cement mortar and all spaces and joints thoroughly filled.

All footings or base courses shall project at least six inches on all sides beyond the bottom of wall or pier.

WALLS OF BUILDINGS OTHER THAN FRAME OR WOOD.

26. The walls of all buildings, other than frame or wood buildings, shall be constructed of stone, brick, Portland cement concrete, iron or steel or if approved by the building inspector other hard incombustible material, the several component parts of such buildings shall be as herein provided.

All buildings shall be enclosed on all sides with independent or party walls, except rear of the main top story above wing of dwelling houses, which may be of frame covered with slate or metal.

WALLS AND PIERS.

27-*a*. In all walls of the thickness specified in this Code, the same amount of materials may be used in piers or buttresses.

BEARING WALLS DEFINED.

b. Bearing walls shall be taken to mean those walls on which the beams, girders or trusses rest.

BRICK AND MASONRY WORK.

c. The walls and piers of all buildings shall be properly and solidly bonded together and well filled with mortar. They shall be built to a line and be carried up plumb and straight.

The walls of each story shall be built up the full thickness to the top of the beams above, except in ordinary dwellings.

All walls stopping off at a story shall be carried to the top of floor beams.

All brick walls shall be carried at least nine inches thick up to top rafters, except rear cornices of private dwellings, in which case the walls may be stopped at the underside of ceiling joist.

Walls or piers, or parts of walls and piers, damaged by freezing shall not be built upon, but shall be removed and rebuilt.

BRICK PIERS.

d. All piers shall be built of good, sound, hard, well-burnt brick laid in cement mortar, excepting that piers fronting on a street may be built of stone.

Cap stones corresponding to the trimmings of the front, proportioned to the weight to be carried, but not less than five (5) inches in thickness by the full size of the pier, may be used above the sidewalk for piers fronting on a street. For the capping of all other piers cast-iron plates of equal strength by the full size of the pier shall be set under all columns or girders.

Isolated brick piers shall not exceed in height ten times their least dimensions.

In cases of ordinary dwellings lime mortar may be used and this section shall not apply to porch pillars or piers bearing small load in dwellings.

STONE POSTS UNDER INTERIOR COLUMNS.

e. Stone posts for the support of posts or columns above shall not be used in the interior of any building.

PIERS AND WALLS OF COURSED STONE.

f. Where walls or outside piers are built of coursed stones, with dressed level beds and vertical joints, the building inspector shall have the right to allow such walls or piers to be built of less thickness than specified for brick work, but in no case shall said walls or piers be less than three-quarters of the thickness provided for brick work.

HEADING COURSES IN BRICK WALLS.

g. In all brick walls every seventh course shall be a heading course, except where walls are faced with brick in running bond, in which latter case, every seventh course shall be bonded into the backing by cutting the course of the face brick and putting in diagonal headers behind the same, or by splitting the face brick in half and backing the same with a continuous row of headers.

Where face brick is used of a different thickness from the brick used for the backing, the course of the exterior and interior brick work shall be brought to a level bed at intervals of not more than ten courses in height of the face brick and the face brick shall be properly tied to the backing by a heading course of the face brick or an approved metal tie.

All bearing walls faced with brick laid in running bond shall be four inches thicker than the walls are required to be under any section of this Code.

If brick walls are laid in flemish bond, all headers must be full headers, if possible. Where this is not possible, the headers of every seventh course must be full headers.

ASHLAR.

h. Stone used for the facing of any building, and known as ashlar, shall be not less than four inches thick.

Stone ashlar shall be anchored to the backing and the backing shall be of such thickness as to make the thickness with the requirements of sections 30 and 31 of this Code.

Unless each alternate course of the ashlar be at least eight inches thick and bonded into the backing, and then it may be counted as part of the thickness of the wall.

Iron ashlar plate used in imitation of stone ashlar on the face of a wall shall be backed up with the same thickness as required for a brick wall without ashlar.

MORTAR FOR WALLS AND ASHLAR.

28. All foundation walls, isolated piers, parapet walls and chimneys above roofs shall be laid in cement, or lime and cement mortar.

All other walls of brick or stone shall be laid in lime, cement, mortar, or lime and cement mortar mixed.

The backing up of all stone ashlar shall be laid up with cement mortar or cement and lime mortar mixed, but the back of the ashlar may be pargeted with lime mortar or coated with asphaltum varnish to prevent discoloration of the stone.

LIMITING THE HEIGHT OF BUILDINGS.

29. No non-fireproof building or structure hereafter erected shall exceed sixty-five feet in height.

No church spire, except it be built of fireproof material or steel frame, shall extend more than thirty (30) feet above the highest point of the roof of the main building.

Such height shall be the perpendicular distance measured in a straight line, taken at the center of the facade of the building, from the curb level to the highest part of the roof beams, not including in such measurement of height cornices which do not extend more than

five feet above the highest point of the roof beams nor inclosures for the machinery of elevators, which do not exceed fifteen feet in height, or inclosures for tanks which do not exceed twenty feet in height above the roof beams and do not exceed in united area ten per centum of the area of the roof.

WALLS FOR DWELLING HOUSE CLASS.

30-a. The expression "walls for dwelling house class" shall be taken to mean and include walls for the following buildings:

Apartment Houses,	Laboratories,
Apartment Hotels,	Lodging Houses,
Asylums,	Parish Buildings,
Club Houses,	Schools,
Convents,	Studios,
Dormitories,	Tenements,
Dwellings,	Private Stables,
Hospitals,	Private Garages.
Hotels,	

For buildings hereafter erected in the dwelling house class, twenty-seven feet or less in width between bearing walls or bearings, the minimum thickness of all independent surrounding and dividing walls in the same, carrying the loads of floors and roofs, shall be made in accordance with the following table, but no party wall shall be less than thirteen inches in thickness, throughout its entire height.

Dwelling House Class—Brick Walls.
(Minimum Thickness in Inches.)

HEIGHT.	Basement.		STORIES.									
	Stone.	Brick or Concrete.	1	2	3	4	5	6	7	8	9	10
One Story	16	13	9									
Two Stories	20	13	13	9								
Three Stories	20	13	13	13	9							
Four Stories	20	18	13	13	13	13						
Five Stories	20	18	13	13	13	13	13					
Six Stories	24	22	18	13	13	13	13	13				
Seven Stories	24	22	18	18	13	13	13	13	13			
Eight Stories	28	27	22	18	18	18	18	13	13	13		
Nine Stories	28	27	22	22	18	18	18	18	13	13	13	
Ten Stories	32	31	27	22	22	22	18	18	18	18	13	13

"Special Note."—In two-story dwelling houses change second item to nine (9) inches for first floor, provided there shall be two chimney breasts not more than twenty-five (25) feet to centers, or on the side where stair well occurs (which well shall not be more than fifteen (15) feet in

length) the stairway trimmers on each side of the well-hole shall be doubled and anchored to the wall and where they rest on the longitudinal partition they shall be thoroughly spiked together and to the plate of said partition.

When the above walls are used for bearing party walls in fireproof buildings, no portion of the walls shall be less than eighteen (18) inches in thickness.

If any story exceeds the height stated in section 34 of this Code, the thickness of walls shall be increased as stated in said section.

LIMITING THE HEIGHT FOR A SINGLE THICKNESS OF WALL.

b. No section of a wall of the same thickness shall exceed measuring vertically, the height provided elsewhere in this section and sections 31 and 34 of this Code.

CLEAR SPAN THICKNESS.

c. If the clear span is to be over twenty-one (21) feet, then the bearing walls shall be increased four inches in thickness for every twelve and one-half ($12\frac{1}{2}$) feet or part thereof, that said span is over twenty-one (21) feet.

Or shall have instead of the increased thickness, such piers or buttresses as, in the judgment of the building inspector, may be necessary.

WALLS FOR WAREHOUSE CLASS.

31-*a.* The expression of "walls for warehouse class" shall be taken to mean and include walls for the following buildings:

Armories,	Museums,
Barns,	Office Buildings,
Breweries,	Police Stations,
Carriage Repositories,	Printing Houses,
Churches,	Public Assembly Buildings,
Cooperage Shops,	Pumping Stations,
Court Houses,	Railroad Terminals,
Factories,	Refrigerating Houses,
Garages,	Stables,
Jails,	Stores,
Libraries,	Sugar Refineries,
Light and Power Houses,	Theatres,
Machine Shops,	Warehouses,
Markets,	Wheelwright Shops.
Mills,	

For buildings hereafter erected in the warehouse class, twenty-five feet or less in width between walls or bearings, the minimum thickness of all independent surroundings or dividing walls in the same, carrying the loads of floors and roofs shall be made in accordance with the following table:

Warehouse Class—Brick Walls. (Minimum Thickness in Inches.)										
HEIGHT.	Basement.		STORIES.							
	Stone.	Brick or Concrete.	1	2	3	4	5	6	7	8
One Story	20	18	13							
Two Stories	20	18	13	13						
Three Stories	20	18	13	13	13					
Four Stories	24	22	18	18	13	13				
Five Stories	28	27	22	18	13	13	13			
Six Stories	32	31	27	22	22	18	18	13		
Seven Stories	32	31	27	27	22	22	18	18	13	
Eight Stories	36	36	31	27	27	22	22	18	18	13

When the above walls are used for party walls in non-fireproof buildings, the thirteen inch sections of the walls shall be increased in thickness to not less than eighteen inches to carry the ends of the beams and the beams entering the walls shall be separated by at least four inches of brick work.

When used for bearing party walls in fireproof buildings, no portion of the walls shall be less than eighteen inches in thickness.

If any story exceeds the height stated in section 34 of this Code the thickness of walls shall be increased as stated in said section.

CLEAR SPAN THICKNESS.

b. If there is to be a clear span of over twenty-five feet between the bearing walls, such walls shall be four inches thicker than in this section specified for every twelve and one-half feet, or fraction thereof, that said walls are more than twenty-five feet apart, or shall have instead of the increased thickness such piers or buttresses as, in the judgment of the building inspector, may be necessary.

OPENINGS IN DIVISION WALLS.

32. Openings in the brick division walls of buildings shall, in no case exceed eight feet in width, nor more than ten feet in height, and such openings shall be provided with approved standard fireproof doors on both sides of the wall.

INCREASED THICKNESSES OF WALLS FOR BUILDINGS MORE THAN ONE
HUNDRED AND FIVE FEET IN DEPTH.

33. All buildings that are over one hundred and five feet in depth without a cross-wall or proper piers or buttresses, shall have the side or bearing walls increased in thickness four inches more than is specified in the respective sections of this Code for the thickness of walls for every one hundred and five feet, or part thereof, that the said buildings are over one hundred and five feet in depth:

HEIGHT OF STORIES.

34. The height of stories for all given thicknesses of walls shall not exceed—

First story.....	16 feet in the clear.
Second story.....	14 feet in the clear.
Third story.....	12 feet in the clear.
Fourth and upper stories.....	11 feet in the clear.

And if any story exceeds the foregoing heights, the walls of any such story and all walls below that story shall be increased four inches in thickness.

The height of a story shall be the perpendicular distance from the top of the finished floor in one story to the underside of the finished ceiling in the same story.

MEANING OF STORIES.

The first story shall be taken to mean the story the floor of which is first above the basement, on the principal front.

The upper stories shall be taken to mean the stories the floor of which are above the first story and numbered in regular succession counting upwards.

MEANING OF BASEMENT AND CELLAR.

A basement shall be taken to mean that portion of a building the floor of which is below the curb level at the center of the front of the building, more than one foot, and not more than three-fourths of the height of said portion measuring from floor to ceiling.

A cellar shall be taken to mean the lowest portion of a building, the floor of which is below the curb level at the center of the front of the building, more than three-fourths of the height of said portion measuring from the floor to the ceiling.

INCLOSURE WALLS FOR SKELETON STRUCTURES.

35. Walls of brick built in between iron or steel columns, and supported wholly or in part on iron or steel girders—

Shall be not less than thirteen inches thick for sixty-five feet of the uppermost height thereof, or to the nearest tier of beams to that measurement, in any building so constructed.

And the lower section of sixty feet or to the nearest tier or beams to such vertical measurement, or part thereof, shall have a thickness of four inches more than is required for the section next above it down to the tier of beams nearest to the curb level; and thence downward, the thickness of walls shall increase in ratio prescribed in section 25 of this Code.

REDUCED THICKNESS FOR ADJOINING WALLS.

When two independent buildings of skeleton type of construction, and of the same height adjoin each other, the thickness of the said independent walls above the foundations for such sections where they adjoin may be not less than eight inches.

CURTAIN WALLS.

36. Curtain walls shall be taken to mean walls built in a building between piers or iron or steel columns, and being non-bearing walls—

Shall be not less than thirteen inches thick for sixty-five feet of the uppermost height thereof or nearest tier of beams to that height.

And increased four inches for the lower section of sixty feet or nearest tier of beams to that height.

And thence downward the thickness of walls shall increase in the ratio prescribed in section 25 of this Code.

EXISTING PARTY WALLS.

37. Walls heretofore built for or used as party walls, whose thickness at the time of their erection was in accordance with the requirements of the then existing laws, but which are not in accordance with the requirements of this Code, may be used, if in good condition, for the ordinary use of party walls, provided the height of the same be not increased without special permit from the building inspector.

WALLS NOT TO BE ADVANCED, ETC.

38. In no case shall any wall or walls of any building be carried up more than one story in advance of any other wall, except by permission of the building inspector.

WALLS TO BE BRACED.

39. The walls and beams of every building, during the erection or alteration thereof, shall be braced when required by the building inspector.

OUTSIDE ARCHES AND LINTELS.

40. Openings for doors and windows in all buildings of the warehouse class shall have good and sufficient arches of stone, concrete, brick or terra cotta, well built and keyed with good and sufficient abutments, or lintels of stone, concrete, iron or steel of sufficient strength, which shall have a bearing at each end of not less than four inches on the wall.

On the inside of all openings over four feet in width in buildings of the warehouse class in which lintels shall be less than the thickness of the wall to be supported, there shall be timber lintels which shall be beveled at each end and shall have a suitable arch turned over the timber lintel.

INSIDE LINTELS.

Or the inside lintel may be of cast-iron, or wrought iron or steel, and in such case stone blocks or cast-iron plates shall not be required at the ends where the lintels rests on the walls, provided the opening is not more than six feet in width.

MASONARY ARCHES.

All masonry arches shall be capable of sustaining the weight and pressure which they are designed to carry, and the stress at any point shall not exceed the working stress for the material used, as given in section 80 of this Code.

Tie rods shall be used where necessary to secure stability in accordance with current good practice.

PARAPET WALLS.

41. All exterior and division or party walls over fifteen feet high excepting where such walls are to be finished with cornice, gutters or crown

mouldings, shall have parapet walls not less than nine inches in thickness and carried one foot above the roof.

But for warehouses, factories, stores and other buildings used for commercial or manufacturing purposes the parapet walls shall be not less than thirteen inches in thickness and carried two feet above the roof.

HOLLOW WALLS.

42. In all walls that are built hollow the same quantity of stone, brick or concrete shall be used in their construction as if they were built solid, as in this Code provided.

And no hollow-wall shall be built unless the parts of same are connected by proper ties, either of brick, stone or iron, placed not over twenty-four inches apart.

HOLLOW BRICKS ON INSIDE OF WALL.

43. The inside four inches of any wall may be built of hard burnt hollow brick, properly tied and bonded by means of full header course every sixth course into the walls, and of the dimensions of the ordinary brick.

Where hollow tile or porous terra-cotta blocks are used as lining or furring for walls, they shall not be included in the measurement of the thickness of such walls.

RECESSES AND CHASES IN WALLS.

44. Recesses for stairways or elevators may be left in the foundation or cellar walls of all buildings, but in no case shall the walls be of less thickness than the walls of the fourth story, unless reinforced by additional piers with iron or steel girders, or iron or steel columns and girders, properly insulated, and securely anchored to walls on each side.

RECESSES FOR ALCOVES.

Recesses for alcoves and similar purposes shall not have less than nine inches of brick work at the back of such recesses, and such recesses shall be not more than ten feet in width, and shall be arched over or spanned with suitable lintels, and not carried up higher than eighteen inches below the bottom of the beams of the floor next above.

Radiator recesses under windows may be carried within four inches of outside wall.

CHASES FOR PIPES.

No chase for water or other pipes shall be made in any pier and no horizontal recess or chase in any wall shall be made exceeding four feet in length without permission of the building inspector.

AGGREGATE AREA FOR RECESSES.

The aggregate area of recesses in any wall shall not exceed one-fourth of the whole area of the face of the wall on any story, nor shall any such recess be made within a distance of six feet from any other recess in the same wall.

PIPE ENTRANCES AND DITCHES.

In no event shall any pipe trench enter any building except it be under an opening, nor shall it parallel any wall or pier nearer than three feet, except by permission of the building inspector.

FURRED WALLS.

45. In all walls furred off more than three inches with wood the brick work between the ends of wood beams shall project the thickness of the furring beyond the inner face of the wall for the full depth of the beams.

BRICK AND HOLLOW TILE PARTITIONS.

46. Nine-inch brick, and six-inch hollow tile, and four-inch brick or four-inch hollow tile partitions, of hard burnt clay or porous terra-cotta laid up with cement mortar, may be built not exceeding in their vertical portions a measurement of fifty for the nine-inch and thirty-six for the six-inch and twenty-four feet for the four-inch, respectively, and in their horizontal measurement a length not exceeding seventy-five feet, unless said partition walls are strengthened by proper cross-walls, piers or buttresses, or built in iron or steel frame work when the latter is imbedded in or insulated by the same material of which the partition is constructed.

All such partitions shall be carried on proper foundations, or iron or steel girders, or iron or steel girders or columns, properly insulated, or piers of masonry.

CELLAR PARTITIONS IN RESIDENCE BUILDINGS.

47. One line of fore and aft partitions in the cellar or lowest story, supporting stud partitions above, in all residence buildings over twenty-two feet between bearing walls in the cellar or lowest story, hereafter erected, shall be constructed of brick, not less than nine inches thick, or piers of brick with openings arched over below the underside of the first tier of beams, or girders of iron or steel and iron columns, or piers of masonry may be used; or if iron or steel floor beams spanning the distance between bearing walls are used of adequate strength to support the stud partitions above in addition to the floor load to be sustained by said iron or steel beams, then the fore and aft brick partition, or its equivalent, may be omitted.

Stud partitions which may be placed in the cellar or lowest story of any building, shall have good solid stone, brick or cement foundation walls under the same, which shall be built up to the top of the floor beams or sleepers, and the sills of said partitions shall be heart pine.

MAIN STUD PARTITIONS.

48. In residence buildings where fore and aft partitions rest directly over each other, they shall run down between the wood floor beams and rest on the top plate of the partition below.

TIMBER IN WALLS PROHIBITED.

49. No timber shall be used in any wall of any building where stone, brick, cement, concrete or iron are commonly used, except inside lintels, as herein provided, and brace blocks not more than eight inches in length.

HALLWAY INCLOSURES AND STAIRCASES.

50. In all non-fire-proof apartment houses or tenement houses hereafter erected four stories and basement in height, but not exceeding fifty-five feet in height, and occupied or arranged to be occupied by more than two families on any floor, the staircase halls shall be inclosed with brick walls, and the said hall inclosures shall have a connecting hallway in the first story and extend to the street, inclosed with suitable walls of brick, or such other fire-proof materials, including ceiling, as may be approved by the building inspector.

In fire-proof apartment houses and tenement houses hereafter erected the stair halls and hallways leading to the street shall be inclosed with

brick walls, and in other respects be constructed as required by this Code for fire-proof construction.

Nine-inch brick walls not exceeding fifty feet in their vertical measurement, may inclose said halls and stairs, and be used as bearing walls where the distance between the outside bearing walls does not exceed thirty-three feet, and the area between the said brick inclosed walls does not exceed one hundred and eighty superficial feet.

At least one flight of the hall stairs in each of said buildings shall extend to the roof, and there be inclosed in a bulkhead. The bulkhead door shall not at any time be locked with a key, but it may be fastened on the inside by movable bolts or hooks.

Whenever the walls inclosing the entrance hall of any apartment or tenement house hereafter erected support beams or girders carrying a brick wall above the said wall shall not be less than thirteen inches thick laid in cement mortar.

CLOSET UNDER FIRST STORY STAIRCASE.

No closet with a pitch less than five feet at any point shall be erected underneath the staircase of any story, but this shall not prohibit the inclosing of the underportion of the first story staircase for coat closet or toilet room.

Under no circumstances shall a gas-meter be placed under any stairway.

ROOMS, LIGHTING AND VENTILATION OF.

In every apartment house or tenement house hereafter erected every room, except water closet compartments, bath rooms and storage rooms shall have at least one window opening directly upon the street or upon a yard or court.

CELLARS TO BE CONNECTED WITH SEWERS.

51. Before the walls of buildings are carried above the foundation walls the cellar shall be connected with the street sewers.

Should there be no sewer in the street, or if the cellars are below sewer level, then provision shall be made by the owner to prevent water accumulating in the cellars to the injury of the foundations.

WOOD BEAMS.

52. All wood beams and other timbers in any wall of a building built of stone, brick, concrete, or iron, shall be separated from the beam or

timber entering in the opposite side of the wall by at least four inches of solid mason work.

MINIMUM THICKNESS FOR WOOD BEAMS.

No wood floor beams used in any building, hereafter erected, except in a frame building, shall be of less thickness than two inches, nor less depth than ten inches except in spans of less than ten (10) feet.

No wood roof or ceiling beam shall be less than two inches thick or not less than six inches in depth.

TRIMMER AND HEADER BEAMS AND TAIL BEAMS.

All wood trimmer and header beams shall be proportioned to carry with safety the loads they are intended to sustain.

The ends of all tail beams shall be properly framed into the header beams, except where stirrup irons are used.

When it is not practicable to frame the ends of tail beams into header beams, the ends of the tail beams shall be hung to the header beams by stirrup irons of proper size and strength.

BEARINGS FOR WOOD BEAMS.

Every wood beam, except header beams, shall rest at one end four inches in the wall, or upon a girder as authorized in this Code.

BEVEL ENDS FOR WOOD BEAMS.

The ends of all floor and ceiling beams where they rest on brick walls shall be cut to a bevel of two inches on their depth except in dwelling houses.

ENDS OF BEAMS NOT TO REST ON STUD PARTITIONS.

In no building of the warehouse class shall either end of a floor or ceiling beam be supported on a stud partition.

CROSS BRIDGING FOR BEAMS.

All wood floor beams shall be properly bridged with cross bridging, and the distance between bridging or between bridging and walls shall not exceed eight feet.

BEAMS NEAR FLUES.

All wood beams shall be trimmed away from all smoke flues and chimneys. The trimmer beam shall be not less than one inch from the outside of a chimney breast, and the header beam not less than one inch from the outside face of the brick or stone work of the same.

The header beam, carrying the tail beam of a floor, and supporting the trimmer arch in front of a fire-place, shall be not less than twenty inches from the chimney breast.

GIRDER STRAPS AND ANCHORS.

Where the beams are supported by girders, the girders shall be anchored to the walls and fastened to each other.

BEAM STRAPS.

The ends of wood beams resting upon girders shall be securely fastened together, not less than ten feet apart, for the purpose of a continuous tie across the building.

WOOD COLUMNS AND PLATES.

53. Where posts are located over other posts they shall bear either directly on the post below or on suitable caps or bolsters of same.

TRIMMER ARCHES.

54. All fire-places and chimney breasts where mantels are placed, whether intended for ordinary fire-place uses or not, shall have trimmer arches to support hearths.

And the said arches shall be at least twenty inches in width, measured from the face of the chimney breast, and they shall be constructed of brick, stone, burnt clay or concrete, and at no point shall these arches be less than six (6) inches thick, measured from the face of the hearth.

The length of a trimmer arch shall be not less than the width of the chimney breast.

If a heater is placed in a fire-place then the hearth shall be the full width of the heater.

Fire-places in which heaters are placed shall have incombustible material at least nine inches on each side of and sixteen (16) inches above heater.

No fire-place shall be closed with a wood fire-board.

CHIMNEYS, FLUES AND FIRE-PLACES.

55. All smoke flues shall be continuously lined on the inside with well burnt clay or terra-cotta pipe with at least four (4) inches of brick work around the lining, or all flues shall have at least nine (9) inches of brick work if the flue linings are omitted. Flue linings shall start at least eighteen (18) inches below the ceiling.

Where flues are located against outside exposed faces of chimneys, the brick work may be reduced on such faces to four inches instead of nine inches.

The fire-backs of all fire-places shall be not less than nine (9) inches in thickness, of solid brick work, nor less than thirteen (13) inches if of stone, except against exposed outside brick walls where it may be four (4) inches.

The brick work of the smoke flues of all low pressure boilers, furnaces, baker's ovens, large cooking ranges, large laundry stoves, and all flues used for a similar purpose shall be at least nine inches in thickness, and lined continuously on the inside with well burnt clay or terra-cotta pipe. This clause shall not apply to private dwellings.

The walls of all high pressure boiler flues shall be not less than thirteen inches, and the inside four (4) inches of such walls shall be fire-brick, laid in fire-mortar for a distance of ten (10) feet above and two (2) feet below the point of entrance to same.

All smoke flues of smelting furnaces or other apparatus which heat the flues to a high temperature, shall be built with double walls of suitable thickness for the temperature with an air space between the walls, the inside four inches of the flues to be of fire-brick, laid in fire-mortar for a distance of not less than fifteen (15) feet above and three (3) feet below the point of entrance to same.

All smoke flues shall extend at least three (3) feet above a flat roof and at least two (2) feet above the highest point of a peak roof.

CHIMNEY SUPPORTS.

56. No chimney shall be started or built upon any floor or beam of wood. In no case shall a chimney be corbeled out more than eight (8) inches from the wall, and in all such cases the corbeling shall consist of at least four (4) courses of brick.

Where chimneys are supported by piers, the piers shall start from the foundation on the same line with the chimney breast, and shall be not less than thirteen (13) inches on the face, properly bonded into the walls.

HOT AIR FLUES, PIPES AND VENT DUCTS.

57a. No stove pipe shall be placed nearer than nine inches to any lath and plaster or board partition, ceiling or any woodwork.

SMOKE PIPES INSIDE BUILDING.

Smoke pipes of laundry stoves, cooking ranges, and of furnaces shall be not less than fifteen (15) inches from any woodwork, unless they are properly guarded by metal shields; if so guarded, stove pipes shall be not less than nine (9) inches distant.

Where smoke pipes pass through a lath and plaster partition they shall be guarded by galvanized iron ventilated thimbles at least eight (8) inches larger in diameter than the pipes, or by galvanized iron thimbles built in at least nine (9) inches of brick work.

SMOKE PIPES THROUGH ROOFS.

b. No smoke pipe shall pass through the roof of any building unless a special permit be first obtained from the building inspector for the same. If a permit is so granted, then the roof through which the smoke pipes pass shall be protected in the following manner:

A galvanized iron ventilated thimble of the following dimensions shall be placed; in case of a stove pipe, the diameter of the outside guard shall be not less than twelve inches, and the diameter of the inner one-eight inches larger than the smoke pipe, and for all furnaces or where similar large hot fires are used, the diameter of the outside guard shall be not less than eighteen inches, and the diameter of the inner one twelve (12) inches larger in diameter than the pipe. The smoke pipe thimbles shall extend from the under side of the ceiling or roof beams to at least nine (9) inches above the roof, and they shall have openings for ventilation at the lower end where the smoke pipes center, also at the top of the guards above the roof.

Where the smoke pipes of a boiler pass through a roof, the same shall be guarded by a ventilated thimble, same as before specified, thirty-six (36) inches larger than the diameter of the smoke pipe of the boiler.

BAY, ORIEL AND SHOW WINDOWS.

58. Bay windows, oriel windows and show windows on the street front or side of any building shall not project beyond the building line without the permission of the city council or the committee on streets, and shall be

constructed of such materials and in such manner as will meet with the approval of the building inspector, and shall conform to the requirements of the resolution granting such permit.

STAIRS, NUMBER REGULATED BY AREA OF BUILDING.

59. If any building hereafter erected to be used as an office building, store, factory, hotel, lodging house or school, covering a lot area exceeding twenty-five hundred feet and not exceeding five thousand feet, there shall be provided at least two continuous lines of stairs remote from each other.

And every such building shall have at least one continuous line of stairs for each five thousand feet of lot area covered, or part thereof in excess of that required for five thousand feet of area.

When any such building covers an area of lot greater than fifteen thousand feet the number of stairs shall be increased proportionately or as will meet with the approval of the building inspector.

Each flight of stairs in every story which exceeds a height of eleven feet in the clear shall have a proper landing introduced, and said landing shall be placed at the central portion thereof if the stairs be a straight run.

The stair shall be provided with proper bannisters or railings and hand-rails and kept in good repair.

METAL SKYLIGHTS.

60. The term "skylight" shall be taken to mean and include flat, hipped, lantern, monitor, turret, dome, vertical or pitched saw-tooth constructions, and all other covers placed over openings on roofs for the admission of light.

All skylights placed on or in any building, shall have the frames and sash thereof constructed of metal and glazed.

All openings in roofs for the admission of light other than elsewhere provided in this Code over elevator, stair, dumb-waiter shafts, and theater stage roofs, shall have metal frames and sash glazed with wire glass not less than one-quarter inch thick, or with glass protected above and below with wire screens, of not less than No. 12 galvanized wire, and not more than one inch mesh.

SHED COVERINGS.

61. Whenever buildings shall be erected or increased to over forty (40) feet in height, upon or along any street the owner or his authorized representative constructing or repairing such buildings, shall have erected and maintained during such construction or repair, a shed with tool house

over the sidewalk in front of said premises, extending from building line to curb, the same to be properly, strongly and tightly constructed, so as to protect pedestrians and others using such streets.

GRAIN ELEVATORS AND COAL POCKETS.

62. Nothing in this Code shall be construed as to apply to or prevent the erection of what are known as grain elevators, as usually constructed, provided they are erected in isolated localities and under such conditions as the building inspector may prescribe, including location, nor to apply to or prevent the erection of coal pockets or coal elevators as usually constructed under similar conditions, including location.

EXHIBITION BUILDINGS.

63. Buildings for fair and exhibition purposes, towers for observation purposes and structures for similar uses, whether temporary or permanent in character, shall be constructed in such manner and under such conditions as the building inspector may prescribe.

SMOKE HOUSES.

64. All smoke houses shall be of fire-proof construction, with brick walls, iron doors and brick or metal roof.

An iron guard shall be placed over and not less than three (3) feet above the fire, and hanging rails shall be of iron, and an iron grating shall be placed under the first row of hanging rails, and be not less than eight (8) feet above the floor of the fire pit.

The walls of all smoke houses shall be built at least three (3) feet higher than the roof of the building in which they are located and shall be not less than thirteen (13) inches in thickness and be coped with stone or its equivalent.

HEATING BOILERS AND FURNACES.

65. A brick set boiler shall not be placed on any wood or combustible floor or beams.

No combustible partition shall be within four feet of the sides and back and six feet from the front of any boiler, unless said partition shall be covered with metal to the height of at least three feet above the floor, and shall extend from end or back of the boiler to at least five feet in front of it, then the distance shall be not less than two feet from the sides and five feet from the front of the boiler.

All hot air furnaces shall be placed at least three feet from any wood or combustible partition or ceiling, unless the partitions and ceilings are properly protected by a suspended metal shield, when the distance shall be not less than one foot.

REGISTERS.

66. Where a register is placed on any woodwork in connection with a metal pipe or duct, the end of the said pipe or duct shall be flanged over on the woodwork under it.

All register boxes shall be made of tin plate or galvanized iron with a flange on the top to fit the groove in the frame, the register to rest upon the same; there shall be an open space of two inches on all sides of the register box, extending from the under side of the border to and through the ceiling below. The said opening shall be fitted with a tight tin or galvanized iron casing, the upper end of which shall be turned under the frame.

RANGES AND STOVES.

67. Where a kitchen range or stove is placed within twelve inches from a wood stud partition or furred wall the said partition or furred wall shall be shielded with metal from the floor to the height of not less than three feet higher than the range or stove.

All lath and plaster or wood ceilings over all ranges in hotels and restaurants, shall be guarded by metal hoods placed at least nine inches below the ceiling and properly ventilated.

MANSARD ROOFS.

68. If a mansard or other roof of like character, having a pitch of over sixty degrees, be placed on any building, except a wood building, or a dwelling house not exceeding three stories in height, it shall be constructed of iron rafters and lathed with iron or steel on the inside and plastered, or filled in with fire-proof material not less than three inches thick, and covered with metal, slate or tile.

BULKHEADS ON ROOFS AND SCUTTLES.

69. Bulkheads used as inclosures for tanks and elevators, and coverings for the machinery of elevators and all other bulkheads on buildings hereafter erected or altered shall be constructed of fire-proof materials or of wood covered on all outside surfaces with metal, including both surfaces and edges of doors. On fire-proof buildings and bulkheads and inclosures on roofs shall be constructed of fire-proof materials only.

No staging or stand shall be constructed or occupied upon the roof of any building without first obtaining the approval of the building inspector.

ROOFING AND LEADERS WITHIN THE FIRE LIMITS.

70. Every building shall be covered and roofed with brick, tile, slate, tin, copper or iron, or such other incombustible roofing as the building inspector under his certificate, may authorize.

Nothing in this section shall be construed to prohibit the repairing of any shingle roof within or without the fire limits, provided the building is not altered in height, but this shall not be construed to permit the renewal of a shingle roof.

ELEVATOR SHAFTS.

71. All elevator shafts below the level of the main floor shall be inclosed with fire-proof material with fire-proof doors. When the enclosure of an elevator has an opening to accommodate machinery for operating same, such as shafts, pulleys, drums, cables, etc., said machinery shall be inclosed in a similar manner to the shaft.

DUMB-WAITERS.

72. A dumb-waiter shall be considered a special form of elevator whose dimensions shall not exceed three feet square and which is designed for the carrying of light articles, and is provided with one or more shelves.

Regulations as to elevators shall not apply to dumb-waiters.

ELEVATORS IN EXISTING OR PROPOSED HOTELS.

73. In every building to be used or occupied as a hotel the elevator or elevators shall be inclosed in fire-proof shafts and the openings in such shafts shall be inclosed with fire-proof doors.

SCREEN UNDER ELEVATOR SHEAVES.

74. Immediately under the sheaves at the top of every elevator shaft in any building there shall be provided and placed a substantial grating or screen of iron or steel or a fire-proof floor of such construction as shall be approved by the building inspector.

FIRE ESCAPES—WHAT BUILDINGS SHALL BE PROVIDED WITH FIRE
ESCAPE FACILITIES.

75a. Every building already erected, or that may hereafter be erected more than two stories in height, occupied and used as a hotel, apartment hotel or lodging house, and every boarding house having more than twenty sleeping rooms above the second story; every factory, mill, manufactory or workshop, hospital, asylum or institution for the care or treatment of individuals over two stories in height; every building two stories and over in height used or occupied as a store, show or work-room; every building in whole or in part occupied or used as a school, or place of instruction or assembly over one story in height; every office building three stories or more in height shall be provided with such good and sufficient fire escapes, stairways, or other means of egress in case of fire as shall be directed by the building inspector.

The owner or owners of any building upon which a fire escape is erected shall keep the same in good repair and properly painted.

Fire escapes on the outside of buildings shall consist of open iron balconies and stairways. In the event that inside fire escapes are used they shall be constructed entirely of approved fire-proof material and all inclosing walls to be of brick or fire-proof material and in accordance with plans as approved by the building inspector.

Fire escapes may project into the public highway to a distance not greater than four feet beyond the building line.

The stairway shall be placed at an angle of not more than sixty degrees, with steps not less than six inches in width and twenty-two inches in length, and with a rise of not more than nine inches.

The balcony on the top floor, except in a case of a front fire escape, shall be provided with a goose-neck ladder leading from said balcony to and above the roof, if in the opinion of the building inspector this is necessary.

BALCONIES.

b. The balconies shall be not less than three feet in width, and placed where directed by the building inspector at each story above the ground floor.

They shall be as near level as possible to the window sills and extend in front of and not less than nine inches beyond each window.

There shall be a landing not less than twenty-four inches square at the head and foot of each stairway.

The stairway opening on each platform shall be of a size sufficient to provide clear headway.

FLOORS OF BALCONIES.

c. The floors of balconies shall be of wrought iron or steel slats not less than one and one-half inches by three eighths of an inch, placed not more than one and one-quarter inches apart, and well secured and riveted to iron angles not less than one and three-quarters inches by one and three-quarters inches by one-fourth inch thick. The openings for stairways in all balconies shall be not less than twenty-one inches wide and forty-eight inches long, and such openings shall have no covers of any kind.

RAILINGS.

d. The outside top rail shall extend around the entire length of the platform and be secured by malleable iron expansion bolts to the wall. The top rail of balconies shall be one and three-quarter inches by one-half inch of wrought iron, or one and a half inch angle iron, one-quarter inch thick. The bottom rails shall be one and a half inches by three-eighths of an inch wrought iron or steel, or one and a half inch angle iron, one-quarter inch thick, fastened to the wall by expansion bolts. The standards of filling-in bars shall be not less than one-half inch round or square wrought iron or steel, well riveted to the top and bottom rails and platform frame. Such standards or filling-in bars shall be securely braced by outside brackets at suitable intervals, and shall be placed not more than six inches from centers; the height of railings shall in no case be less than three feet.

No cast-iron shall be used in any part in the construction of fire escapes.

STAIRWAYS.

e. The treads shall be flat open treads not less than six inches wide and with a rise of not more than nine inches. The stairs shall be not less than twenty-two inches wide. The strings shall be not less than four inches channels of iron or steel, or other shape equally strong, and shall rest upon and be fastened to the balconies at top and bottom. The steps in all cases shall be double riveted or bolted to the strings. The stairs shall have three-quarter inch hand rails of wrought iron pipe well braced.

BRACKETS.

f. The top piece of the bracket shall be not less than two inches by two inches by one-fourth inch thick iron angles with not less than one inch round iron well riveted together, and extending entirely through

the wall and secured on the inner side of the wall by nuts and eight inches square washers not less than three-eighth inch thick.

The wall brace of the bracket shall be two and one-half inch by three-eighth inch not less than twenty inches long, and turned into the wall at the bottom not less than three inches.

The angle brace shall be not less than one and one-half inch by one and one-half inch by one-fourth iron angle, all members of the bracket being securely riveted together, and the bracket shall extend the width of the balcony.

On new buildings the brackets shall be set as the walls are being built.

ALTERNATE CONSTRUCTION.

g. Other construction of fire escapes balcony floors, railings, stairways and brackets of strength and rigidity equal to that above specified will be allowed in place thereof.

PROP LADDERS.

A proper drop-ladder shall be required from the lower balcony when the floor of such balcony is more than twelve feet above the sidewalk or ground.

PAINTING.

All the parts of such fire escapes shall receive not less than two coats of paint, one in the shop and one after erection.

SCUTTLE LADDERS.

All buildings requiring fire escapes shall have stationary ladders leading to the scuttle opening in the roof thereof, and all scuttles and ladders shall be kept so as to be ready for use at all times.

BULKHEAD STAIRS AND DOORS.

If a bulkhead is used in place of a scuttle, it shall have stairs with a sufficient guard or hand-rail leading to the roof.

In case the building shall be occupied by more than one family the door in the bulkhead or any scuttle, shall at no time be locked, but may be fastened on the inside by movable bolts or hooks.

FIRE-PROOF BUILDINGS.

76. Whenever it is desired to build, alter or repair buildings of so-called fire-proof construction, all plans shall be submitted in detail for the information of the building inspector and in the event that the building inspector shall require special or expert advice in this line of construction, such advice shall be furnished by the owner and at the expense of the said owner.

COMPUTATIONS FOR STRENGTH OF MATERIALS.

77. The dimensions or each piece of combination of materials required shall be ascertained by computation, according to the rules prescribed by this Code.

FACTORS OF SAFETY.

78. Where the unit stress for any material is not prescribed in this Code the relation of allowable unit stress to ultimate strength shall be—

As one to four for metals, subjected to tension or transverse stress.

As one to six for timber.

And as one to ten for natural or artificial stones and brick or stone masonry.

But wherever working stresses are prescribed in this Code, varying the factors of safety herein above given, the said working stress shall be used.

STRENGTH OF COLUMNS.

79. In columns or compression members with flat ends of cast-iron, steel, wrought iron or wood, the stress, per square inch, shall not exceed that given in the following tables:

When the Length Divided by Least Working Stresses per Sq. In. of Sec.
Radius of gyration equals. Cast-iron. Steel. Wrt. Iron.

120		8,240	4,400
110		8,820	5,200
100		9,400	6,000
90		9,980	6,800
80		10,560	7,600
70	9,200	11,104	8,400
60	9,500	11,720	9,200
50	9,800	12,300	10,000
40	10,100	12,880	10,800

30	10,400	13,460	11,600
20	10,700	14,040	12,400
10	11,000	14,620	13,200

And in like proportion for intermediate ratios.

When the length divided by the least diameter equals.	Working stress per square inch of section.		
	Long leaf Yellow pine	White pine	
		Norway pine	Oak
30	460	350	390
25	550	425	475
20	640	500	560
15	730	575	645
12	784	620	696
10	820	650	730

And in like proportions for intermediate ratios. Five-eighths the values given for white pine shall also apply to chestnut and hemlock posts.

For locust posts use one and one-half the value given for white pine.

Columns and compression members shall not be used having an unsupported length of greater ratios than given in the table.

WORKING STRESSES.

80. The safe carrying capacity of the various materials of construction (except in the case of columns) shall be determined by the following working stresses in pounds per square inch of sectional area:

COMPRESSION (DIRECT).

Rolled steel	16,000
Cast steel	16,000
Wrought iron	12,000
Cast-iron (in short blocks)	16,000
Steel pins and rivets (bearing)	20,000
Wrought iron pins and rivets (bearing)	15,000

	With grain.	Across grain.
Oak	900	800
Yellow pine	1,000	600
White pine	800	400

Spruce	800	400
Locust	1,200	1,000
Hemlock	500	500
Chestnut	500	1,000
Concrete (Portland) cement 1; sand 2; stone 4.....		230
Concrete (Portland) cement 1; sand 2; stone 5.....		208
Concrete Rosendale, or equal cement 1; sand 2; stone 4.		125
Concrete Rosendale, or equal, cement 1; sand 2; stone 5.		111
Rubble stonework in Portland cement mortar.....		140
Rubble stonework in Rosendale cement mortar.....		111
Rubble stonework in lime and cement mortar.....		97
Rubble stonework in lime mortar.....		70
Brickwork in Portland cement mortar; cement 1; sand 3		250
Brickwork in Rosendale or equal cement mortar, cement 1; sand 3.....		208
Brickwork in lime and cement mortar; cement 1; lime 1; sand 6.....		160
Brickwork in lime mortar, lime 1; sand 4.....		111
Granites (according to test).....	1,000 to 2,400	
Gneiss stone		1,200
Limestones (according to test).....	700 to 2,300	
Marbles (according to test).....	600 to 1,200	
Sandstones (according to test).....	400 to 1,600	
Bluestone		2,000
Brick (hard-burned, flatwise).....		300
Slate		1,000

TENSION (DIRECT).

Rolled steel	16,000
Cast steel	16,000
Wrought iron	12,000
Cast-iron	3,000
Yellow pine	1,200
White pine	800
Spruce	800
Oak	1,000
Hemlock	600

SHEAR.

Steel web plates	9,000
Steel shop rivets and pins.....	10,000

Steel field rivets	8,000
Steel field bolts	7,000
Wrought iron web plates.....	6,000
Wrought iron shop rivets and pins.....	7,500
Wrought iron field rivets.....	6,000
Wrought iron field bolts.....	5,500
Cast-iron	3,000

	With fibre.	Across fibre.
Yellow pine	70	500
White pine	40	250
Spruce	50	320
Oak	100	600
Locust	100	720
Hemlock	40	275
Chestnut		150

SAFE EXTREME FIBRE STRESS (BENDING).

Rolled steel beams	16,000
Rolled steel pins, rivets and bolts.....	20,000
Riveted steel beams (net flange section).....	14,000
Rolled wrought iron beams.....	12,000
Rolled wrought iron pins, rivets and bolts.....	15,000
Riveted wrought iron beams (net flanged section).....	12,000
Cast-iron compression side	16,000
Cast-iron tension side	3,000
Yellow pine	1,200
White pine	800
Spruce	800
Oak	1,000
Locust	1,200
Hemlock	600
Chestnut	800
Granite	180
Gneiss stone	150
Limestone	150
Slate	400
Marble	120
Sandstone	100
Bluestone	300
Concrete (Portland) cement 1; sand 2; stone 4.....	30
Concrete (Portland) cement 1; sand 2; stone 5.....	20

Concrete (Rosendale or equal) cement 1; sand 2; stone 4	16
Concrete (Rosendale or equal) cement 1; sand 2; stone 5	10
Brick (hard-burned)	50
Brickwork (in cement)	30

PUBLIC BUILDINGS.

81. In all public buildings or buildings of a public character—such as hotels, churches, theaters, railroad depots, public halls, and other buildings used or intended to be used for purposes of public assembly, amusement or instruction and business and manufacturing buildings where large numbers of people are congregated, the public halls, doors, stairways, seats, passageways and aisles, and all lighting and heating appliances and apparatus shall be arranged to facilitate egress in cases of fire or accident and to afford the requisite and proper accommodation for the public protection in such cases.

The building inspector may at any time serve a written or printed notice upon the owner, lessee or manager of any of said buildings, directing any act or thing to be done or provided in or about the said buildings and the several appliances therewith connected, such as halls, doors, stairs, windows, seats, aisles, fire walls, fire apparatus and fire escapes, as he may deem necessary. This provision shall also apply to floats or apartment houses when occupied by more than two families.

THEATERS AND PLACES OF PUBLIC AMUSEMENT APPROVAL OF BUILDING INSPECTOR AND CHIEF OF FIRE DEPARTMENT REQUIRED BEFORE OPENING.

82a. No building shall be opened to the public for theatrical or operative purposes or for public entertainments of any kind until the building inspector shall have approved the same in writing nor until the chief of the fire department shall have certified in writing that all the appliances for the extinguishing of fire or guarding against the same are in a complete and satisfactory working condition.

STORAGE ROOMS.

b. No storage room for scenery shall be allowed under auditorium or public lobbies, but may be placed under stage or elsewhere when properly separated from stage and auditorium by fire-proof material approved by building inspector as to material and location.

WALLS TO BE OF FIRE-PROOF MATERIALS.

c. Interior walls built of fire-proof materials shall separate the auditorium from the entrance vestibule, and from any room or room over the same, also from any lobbies, corridors, refreshment or other rooms; and in all such walls the window and door frames and all sash shall be fire-proof; the window frames and sash shall be of metal of standard construction, and the sash made stationary and glazed with wire glass not less than one-quarter inches in thickness and each pane or unit measuring not more than twenty-four by thirty inches.

d. All staircases for the use of the audience shall be inclosed with walls of brick, or of fire-proof materials approved by the building inspector, in the stories through which they pass, and the openings to said staircases from each tier shall be the full width of the staircase. No door shall open immediately upon a flight of stairs, but a landing at least the width of the door shall be provided between such stairs and such door.

AUDITORIUM, PROSCENIUM OPENING AND CURTAIN.

e. A fire wall built of brick, not less than thirteen inches in any portion of the same shall separate the auditorium from the stage and the same shall extend at least two feet above the stage roof, or the auditorium roof, if the latter be the higher.

Above the proscenium opening there shall be an iron girder of sufficient strength to safely support the load above and the same shall be covered with fire-proof material not less than four inches in thickness.

The molded frame around the proscenium opening shall be formed entirely of fire-proof materials; if metal be used, the metal should be filled in solid with non-combustible material and securely anchored to the wall with iron.

The proscenium opening shall be provided with fire-proof metal curtain, or a curtain of asbestos, or other fire-proof material approved by the building inspector, overlapping the brick proscenium wall at each side not less than twelve inches, and sliding vertically at each side within iron grooves or channels to a depth of not less than twelve inches, said grooves or channels to be securely bolted to the brick wall and extend to a height of not less than three feet above the top of the curtain when raised to its full height. Said curtain to be suspended or hung by steel cables passing over wrought iron or steel sheaves supported by wrought iron brackets of sufficient strength and well braced; the brackets to be securely attached to the proscenium wall by through bolts with nuts and washers on the opposite side of the wall.

If the proscenium curtain be of asbestos, that material shall be reinforced with wire or wire spun in the asbestos, and at the bottom of the curtain shall be placed a rigid metallic rod or bar of proper weight, securely fastened to the curtain and covered over with like material as the curtain itself, to carry down the curtain by the weight of the said rod or bar when released. The excess weight of the curtain is to be overcome by a check-rope of cotton or hemp, extending to the floor on both sides of the stage, so that the cutting or burning of which will release the curtain and the same will then descend at its normal rate of speed. The proscenium curtain shall be placed at the nearest point at least three feet distant from the footlights.

No doorway or opening through the proscenium wall, from the auditorium shall be allowed above the level of the first floor, and such first floor openings shall have self-closing standard fire doors at each side of the wall, and opening, if any, below the stage shall each have a self-closing standard fire door, and all of the said doors shall be hung so as to be opened from either side of the wall at all times.

SKYLIGHT.

f. The skylight shall be so constructed as to open instantly on the cutting or burning of a hempen cord, which shall be arranged to hold said skylight closed, or some other equally simple approved automatic device for opening them may be provided. Immediately underneath the glass of said skylight there shall be wire netting, but wire glass shall not be used in lieu of this requirement.

g. The ceiling of the auditorium shall be formed of fire-proof materials, plaster on metal laths or of sheet metal.

AUDITORIUM WALLS, SEATS, DOORS, ETC.

None of the walls or ceilings shall be covered with wood sheathing, wood wainscoting, canvas, or other combustible material.

All seats in the auditorium shall be firmly secured to the floor.

Doorways of exit or entrance for the use of the public shall be not less than five feet in width, not including the fire exit doorways.

All doors of exit or entrance shall open outwardly and be hung to swing in such a manner as not to become an obstruction in a passage or corridor.

Distinct and separate places of exit and entrance shall be provided for each gallery.

No passage leading to any stairway communicating with any entrance or exit, not including fire exits, shall be less than four feet in width in any part thereof.

Stairs from balconies and galleries shall not communicate with the basement or cellar nor shall any stairway have a closet or inclosed space under it.

In no case shall the risers of any public stairs exceed seven and an half inches in height, nor shall the treads exclusive of nosings, be less than ten and one-half inches wide in straight stairs.

No circular or winding stairs for the use of the public shall be permitted.

At least two independent and direct exterior outlets shall be provided for the service of the stage and shall be located on the opposite sides of the same.

All inclosed staircases shall have, on both sides, strong hand-rails firmly secured to the wall about three inches distant therefrom and about three feet above the stairs, but said hand-rails shall not run on level platforms and landings where the same are of greater length than the width of the stairs.

BOILERS AND HEATING ARRANGEMENTS.

h. Every steam boiler which may be required for heating shall be inclosed by walls of masonry on all sides and the ceiling of such space shall be constructed of fire-proof materials and shall not be located under the main auditorium.

All doorways in boiler room walls connecting with the building shall have standard automatic sliding fire doors.

Stand pipes of not less than four inches in diameter shall be provided with hose connections, one on each side of the stage and one on each side of the fly galleries.

All of such stand pipes and hose connections shall be kept clear of obstructions.

Pipes shall be fitted with approved straightway composition gate valves at hose outlets and the thread of all connections shall be uniform with that in use by the fire department.

One spanner to be located at each hose connection.

GAS AND ELECTRIC LIGHTS.

i. There shall be one light within a red globe or lantern placed over each exit opening, on the auditorium side of the wall.

Gas mains and electric light wires supplying the building shall have three independent connections as follows: One for the stage, one for the auditorium, excepting the exit lights therein, and the third for the halls, corridors, lobbies, exit lights, including the exit lights in the auditorium,

and such other portions of the building used by the audience outside of the auditorium proper.

All gas and electric lights in the halls, corridors, lobbies and other portions of the building used by the audience, with the exception of the auditorium proper, but including the exit lights therein, shall be controlled by separate switches or valves, one to be located in the lobby and the other to be located in the rear part of the building.

LIGHT GUARDS.

j. No gas or electric light shall be recessed in the walls, woodwork, ceilings or in any part of the building unless protected by fire-proof materials.

All lights in passages and corridors in said buildings, and wherever else deemed necessary by the building inspector, shall be guarded with proper wire net-work.

The footlights when not electric, in addition to the wire net-work, shall be guarded with strong wire guard and chain drawn taut placed not less than two feet distant from said footlights and the trough containing said footlights shall be formed of and surrounded by fire-proof materials.

All ducts or shafts used for conducting heated air from the main chandelier, or from any other light or lights, shall be constructed of metal.

All stage lights shall have strong metal wire guards or screens not less than eight inches in diameter, so constructed that any material in contact therewith shall be out of reach of the flames of said stage lights, and such guards or fixtures shall in all cases be fastened to the fixture.

The bridge calcium lights at sides of proscenium shall be inclosed in front and on the side by galvanized iron so that no drop can come in contact with the lights. Electric calcium so-called are included in the above requirements.

EXITS.

k. Every exit shall have over the same on the inside, the word "Exit" painted in legible letters not less than eight inches high.

FRAME BUILDINGS ALTERED OR REMOVED.

83. Within the fire limits no frame building more than two stories in height, now used as a dwelling, shall hereafter be altered to be used as a factory, warehouse or stable.

No wood building, within or without the fire limits, shall be moved from one lot to another until a statement setting forth the purpose of said removal and the uses to which said building is to be applied is filed

in the office of the building inspector and a permit be first obtained therefor. No wood building shall be moved from without to within the fire limits.

FIRE LIMITS.

84. No frame or wood structure shall be built hereafter in the city of Richmond, within the fire limits, as the said limits now are or from time to time may hereafter be established, except as provided for in this Code, and also excepting grain elevators, coal elevators and pockets, ice houses and exhibition buildings, as provided for in this Code.

The fire limits of the city of Richmond shall include all that territory within the following boundaries, viz.:

Beginning at a point on the northern shore of James river where the center line of Belvidere street intersects the said river shore; thence northwardly along the said center line of Belvidere street to a point opposite the center of an alley south of Cary street; thence westwardly along the said alley or its continuation to the west line of Carter street; thence northwardly along the west line of Carter street to Cary street; thence across Cary street to the west line of Walnut street; thence northwardly along the west line of Walnut street to an alley south of Main street; thence westwardly along the said alley or its continuation to the corporation line; thence northwardly along the western limits of the city to the north side of the Broad Street road; thence eastwardly along the north side of Broad street (being a part of the northern portion of the city limits) to the eastern line of the Old Fair grounds; thence northwardly along the eastern line of the Old Fair grounds to the northern line of Leigh street; thence eastwardly along the north line of Leigh street to a point opposite the center of Henry street; thence northwardly along a line which would be a projection of the center line of Henry street to the north line of Duval street; thence eastwardly along the north line of Duval street to a point 150 feet west of First street; thence northwardly along a line 150 feet west of and parallel to First street to the north line of Charity street; thence eastwardly along the north line of Charity street to the west line of Second street; thence northwardly along the west line of Second street to the north line of Bates street; thence eastwardly along the north line of Bates street to the east line of Fourth street; thence southwardly along the east line of Fourth street to the north line of Baker street; thence eastwardly along the north line of Baker street to a point 150 feet east of Sixth street; thence southwardly along a line 150 feet east of and parallel to Sixth street to the center line of Duval street, if extended, and eastwardly along the center line of Duval street, if extended, to the east line of Ninth street; thence southwardly along the east line of Ninth street to the center line of Turpin street; thence east-

wardly along the center line of Turpin street to a point 150 feet east of Tenth street; thence southwardly along a line 150 feet east of and parallel to Tenth street to a point 150 feet north of Clay street; thence eastwardly along a line 150 feet north of and parallel to Clay street to a point 150 feet east of Twelfth street; thence southwardly along a line 150 feet east of and parallel to Twelfth street to a point 150 feet north of Marshall street; thence eastwardly along a line 150 feet north of and parallel to Marshall street to a point 150 feet west of Seventeenth street; thence northwardly along a line 150 feet west of and parallel to Seventeenth street to the north line of William street; thence eastwardly along the north line of William street to a point 150 feet east of Seventeenth street; thence southwardly along a line 150 feet east of and parallel to Seventeenth street to a point 150 feet north of Marshall street; thence eastwardly along a line 150 feet north of and parallel to Marshall street to a point 150 feet east of Thirty-fourth street; thence southwardly along a line 150 feet east of and parallel to Thirty-fourth street to a point on the south side of Broad street; thence westwardly along the south side of Broad street to the west line of Thirty-second street; thence southwardly along the west line of Thirty-second street to the south line of Grace street; thence westwardly along the south line of Grace street to the east line of Thirtieth street; thence southwardly along the east line of Thirtieth street to the south side of Main street; thence eastwardly along the south side of Main street to the east side of Elm street; thence southwardly along the east side of Elm street to the northern shore of James river; thence westwardly along the northern shore of James river to the point of beginning.

EXCEPTIONS AS TO BUILDINGS IN FIRE LIMITS.

It is provided that dwellings may be built of frame or wood within these fire limits in the following districts:

First. In the district bounded on the west by Twenty-third street and on the north, south and east by the fire limits stated in this ordinance.

Second. In the district west of Lombardy street, bounded on the north, south and west by the fire limits named in this ordinance.

Provided all such frame dwellings built in the districts just described shall be located so as to leave a clear space of five (5) feet between such dwelling and the side lot lines except on corners, in which event the clear space next to the street will be exempt from this provision.

This special provision shall not be construed to permit of the erection of double tenements or blocks of frame dwellings, nor shall any frame

dwelling be erected within less than ten (10) feet of any frame structure now existing in the territories described in this paragraph.

FRAME STRUCTURES WITHIN THE FIRE LIMITS.

85a. The provisions in this section contained, shall apply to buildings and structures, whether temporary or permanent, within the fire limits, as the said fire limits now are or from time to time may hereafter be established.

TEMPORARY FRAME BUILDINGS.

Temporary one-story frame buildings may be erected for the uses of buildings, within the limits of lots whereon buildings are in course of erection, or on an adjoining vacant lot, upon permits issued by the building inspector.

Temporary structures shall be taken to mean and include platforms, stands, election booths and circus tents.

SHEDS.

Sheds of wood not over fifteen (15) feet high, open on at least one side, with the sides and roof thereof covered with fire-proof material may also be built, but such sheds shall not cover an area exceeding 1,000 square feet, except by permission of the building inspector in isolated localities and under such conditions as the said building inspector may prescribe.

OUTHOUSES.

Exterior privies, and wood or coal houses, not exceeding one hundred square feet in superficial area and eight feet high, may be built of wood, but the roofs thereof shall be covered with metal, gravel or slate.

FENCES.

b. Fences of wood shall not be erected over ten feet high, above the surface of the ground, and shall be properly supported and braced.

SIGNS.

c. Signs of wood shall not be erected over two feet high on any building, and no sign of wood shall be placed above the front wall or cornice or roof of any building.

Sky signs, or any device in the nature of an advertisement, announcement or direction constructed of sheet metal or wire fastened to wood frames supported upon or above or attached to any building, shall be deemed to be wood signs.

If such sky signs shall exceed two feet in height they shall be constructed entirely of metal, including the uprights, supports and braces for same, and shall be not more than nine feet in height above the front wall or cornice or roof of the building or structure to which they are attached or by which they are supported.

Before any wood or metal sign shall be placed in position upon, above or attached to the outside of any building, a permit shall first be obtained from the building inspector.

Such signs shall be so constructed, placed and supported as not to be or become dangerous.

All signs which shall be dangerous in any manner whatever, shall be repaired and made safe or taken down by the owner, lessee or occupant of the building.

BILL BOARDS.

No signs or bill boards of wood or metal erected upon uprights or other supports extending into the ground shall be at any point more than ten feet above the surface of the ground, and the same shall be properly supported and braced.

FRAME BUILDINGS DAMAGED.

86. Every wood or frame building with a brick or other front within the fire limits, which may hereafter be damaged to an amount not greater than one-half the actual value thereof, exclusive of the valuation of the foundation thereof at the time of such damage, may be repaired or rebuilt.

But if such damage shall amount to more than one-half of such actual value thereof, exclusive of the value of the foundation, then such building shall not be repaired or rebuilt, but shall be taken down, except as provided in this Code.

FRAME BUILDINGS OUTSIDE OF FIRE LIMITS.

87a. The provisions of this section shall apply to frame or other buildings hereafter erected outside of the fire limits, as the same are now or may hereafter be established in portions of the city of Richmond, where streets are now and where they may hereafter be legally established.

HEIGHT.

b. Two-story frame buildings may be erected to a height not exceeding thirty feet; said height being taken from the curb line, where same exists, at the center of front or side of building on which main entrance to upper floor is located.

Where the walls of a building do not adjoin the street or building line then the average level of the ground on which the building stands may be taken in place of the curb line.

The measurement for height shall be to the highest point of roof beams in case of flat roof buildings, and to the average height of gable or roof in case of pitched roofs.

Towers, turrets, and minarets of wood may be erected to a height not to exceed ten feet greater than the foregoing limited height.

AREA.

c. No frame building hereafter erected or any occupancy other than grain elevators, coal elevators and pockets, ice houses, and exhibition buildings and being not over thirty feet in height, shall cover a ground area exceeding the following: One-story building seventy-five hundred square feet, two-story building five thousand square feet, which may be increased in special cases by permission of the building inspector.

FOUNDATIONS.

d. Foundation for frame structures shall be laid not less than eighteen inches below the finished surface of the earth, or upon the surface where there is rock bottom; or upon piles or ranging timbers where found necessary.

The foundation wall of frame structures exceeding fifteen feet in height—

If of stone, shall be not less than twelve inches thick.

And if of brick, or concrete not less than nine inches to the underside of the sill with a proper heel course.

If the foundation and first-story walls are constructed of brick or concrete the foundation walls shall be not less than thirteen inches thick to the first tier of beams and nine inches thick from first tier to second tier of beams.

Or if these walls are constructed of stone they shall be not less than eighteen inches for the foundation wall and thirteen inches for the first-story wall.

CHIMNEYS AND FLUES.

e. All chimneys in frame buildings shall be built of brick or other fire-proof material as required by section 55 of this Code.

In all chimneys the backs shall have at least eight inches of brickwork between fire-backs or any woodwork.

WALLS.

f. When two or more frame buildings are built continuous the party or division studding shall be not less than four inches thick and filled in solidly with brickwork or other fire-proof material extending to the underside of roof boards.

When the division walls are of brick they shall be not less than nine inches thick above the foundation wall and extending to underside of roof boards, and the ends of the floor beams shall be so staggered or separated that not less than four inches of brickwork will be between the beams where they rest on said walls.

FRAME CONSTRUCTION.

g. All frame or wood buildings exceeding a height of fifteen feet shall be built with sills, posts, girts, plates and rafters, all of suitable size and properly framed and braced with suitable studs or planks, set at proper distance apart.

The floor beams and rafters shall be not less than two inches in thickness.

The covering of roofs with wooden shingles is hereby prohibited.

The walls of light, vent and dumb-waiters shafts, whether exterior or interior, in frame buildings may be constructed of frame.

Nothing in this section shall be construed to prohibit the repairing of any shingle roof, provided the building is not altered in height, but this shall not be construed to permit the renewal of a shingle roof.

Posts of wood and wood girders may be used instead of brick fore-and-aft partitions in ceilings of frame buildings.

ALTERATIONS OR ENLARGEMENT.

h. Frame buildings may be altered, extended, raised or repaired, provided the new portions comply with the provisions of this section.

VENEERED BUILDINGS.

i. Frame buildings veneered on the outside with four inches of brick or stone work shall be deemed frame buildings, but such brick or stone work shall be supported on a continuous foundation of masonry, and shall be properly anchored to the frame structure. The height of any such veneered building shall not exceed two stories and attic above the basement.

BRICK BUILDINGS OUTSIDE OF FIRE LIMITS.

88. Outside of the fire limits, when any brick, stone or concrete building is to be erected of a class that could, under this Code, be constructed of wood, the building inspector is hereby authorized and directed to allow reasonable modifications of this Code relating to brick buildings, in consideration of incombustible material being used for walls instead of wood.

GENERAL RULES CONCERNING RETAIL STORES.

89a. In all buildings having more than five thousand feet of area on their main floor and occupied for the retail sale of merchandise, in such cases the doors to the main entrance or entrances shall be made to open outwardly and no obstruction or show-case, whether movable or immovable, shall be permitted between said doors and the property line.

This section shall not prevent the use of show-cases in entranceways when such entrances are so arranged as to maintain a passageway on all sides of such show-case equal in width to the doorway or doorways into such entrances.

In such stores there shall also be an additional entrance at least four (4) feet wide opening on an alleyway or side street readily accessible to the public for use as an emergency exit. This door shall open outwardly and be kept unlocked during the usual hours of business.

When the basement of such stores are used for the sale of merchandise and exceed three thousand square feet of area there shall be at least two stairways located as near as practicable at opposite ends of the building and contiguous to public exits or at least one exit leading directly to a street or an alley.

It shall be the duty of the building inspector to notify the property owners of such buildings coming within this law and in the event of their failure to provide these exits within thirty days they shall be subject to a fine of fifty (\$50.00) dollars for the first thirty (30) days, and fifty (\$50.00) dollars for each ten (10) days thereafter, and in the event

that obstructions are found and are not removed, within twenty-four (24) hours, the tenant or tenants causing such obstructions shall be fined five (\$5.00) dollars for each twenty-four (24) hours that such obstructions remain.

CHIEF OF FIRE DEPARTMENT TO REPORT HAZARDOUS BUILDINGS, ETC.

b. Whenever in the opinion of the chief of the fire department any openings in any building or buildings overlooking any other building or buildings, street or alleyways, are liable to increase the opportunities for a dangerous spread of fire, he shall make such a report in writing to the building inspector, who in turn shall investigate the condition and is authorized to cause such improvements to be made, either by the closing up of such openings, use of fire-shutters or wire glass as may minimize such danger.

In such cases the building inspector shall notify the property owner in writing, setting forth the required improvements, and in the event that such improvements are not completed within sixty (60) days, the owner shall be subject to a fine of fifty (\$50.00) dollars for the first thirty (30) days delinquency, and twenty-five (\$25.00) dollars for each ten (10) days thereafter.

BUILDING INSPECTOR MAY MODIFY PROVISION OF CODE, ETC.

90a. Where there are practical difficulties in the way of carrying out the strict letter of this Code, the building inspector may vary or modify any of the provisions of this Code relating to the construction, alteration or removal of any building or structure erected or to be erected upon an application to him therefor in writing by the owner or lessee of such building or structure, or his duly authorized agent; provided, that the spirit of this Code shall be observed and public safety secured and substantial justice done; but no such variation or modification shall be granted or allowed unless the particulars of each application and of the decision of said building inspector thereon shall be entered upon the records of the building inspector's office.

RULES AND REGULATIONS.

b. The building inspector shall have the power to establish general rules and regulations concerning the construction, maintenance, repair or removal of walls, buildings or other structures, not inconsistent with the provisions of this Code: and he may change or revoke such rules and

regulations when in his opinion it shall be necessary or desirable. All rules and regulations so made, and all modifications of same shall be recorded in a book to be kept in his office and open to public inspection, to be known as Record Book of Rules and Regulations, established by the building inspector. Such rules and regulations shall from time to time be printed in convenient form and as far as practicable be distributed to builders and contractors for their information.

RECORD OF APPLICATION.

c. The building inspector shall keep a record of all applications presented to him concerning, effecting or relating to the construction, alteration or removal of buildings or other structures. Such record shall include the date of the filing of each application, the name and address of the owner of the land on which the building or structure mentioned in such application is situated, the names and addresses of the architect and builder employed thereon; a designation of the premises by street number, or otherwise, sufficient to identify the same, a statement of the nature and proposed use of such structure; and a brief statement of the nature of the application, together with a memorandum of the decision of said building inspector upon such application, and the date of the rendition of such decision.

The record shall be kept in two classes, one for new buildings or structures and one for alterations to existing buildings or structures. Each application for a new or altered building or structure shall be respectively and consecutively numbered in the date and order of filing, and the record numbers and the application numbers shall correspond.

The book containing such records, and all plans, statements and other papers relating to any such application are hereby declared to be public records, and shall be opened to inspection at all reasonable times, but such inspection shall not include the right to copy any plan on file in the office of the building inspector, and the copying of any field drawing, tracing or print is hereby forbidden.

APPEALS AND MODIFICATIONS.

91. The building inspector shall have power, and it shall be his duty to pass upon any question relative to the mode, manner of construction, or materials to be used in the erection of alteration of any building or other structure erected or to be erected which is included within the provisions of this Code and other ordinances, and regulations of the building inspector's office relating to the construction, alteration, or re-

moval of buildings or other structures and to require that same be conformed to.

Whenever the building inspector to whom such questions have been submitted shall reject or refuse to approve the mode or manner of construction proposed to be followed or materials to be used in the erection or alteration of any such building or structure, or when it is claimed that the rules and regulations of the building inspector's office or the provisions of this Code or any of the ordinances or regulations do not apply, or that an equally good or more desirable form of construction can be employed in any specific case, or when it is claimed that the true intent and meaning of this Code or any of the ordinances and regulations have been misconstrued or wrongly interpreted, the permit applied for having been refused by the building inspector, and the owner or lessee of such building or structure, or his duly authorized agent, may appeal from the decision of the building inspector, in writing, to the board of public safety; which board shall be composed of the mayor of the city of Richmond, the city engineer, and the chief of the fire department, of which board the mayor shall be ex-officio chairman. In the event of the absence or inability of the mayor, the president of the board of aldermen may sit on the board in his place; and for like reasons and in like manner the first assistant city engineer may sit for the city engineer, and the first assistant chief of the fire department may sit for the chief of the fire department. It shall be the duty of the chairman promptly to convene the board for the transaction of business on any appeal in writing being lodged with him from any decision of the building inspector. The board shall, after hearing the evidence adduced on such appeal, either affirm, modify or reverse the decision of the building inspector as to them may seem best under all the circumstances of the case, and their decision shall have the same effect as if it were the decision of the building inspector.

The clerk to the building inspector shall be the clerk of the said board without additional compensation, and he shall record the proceedings of said board in a record book to be kept in the office of the building inspector.

VIOLATIONS AND PENALTIES.

92. The owner of any building, structure or part thereof or of any wall, or any platform, staging or floor to be used for standing or seating purposes, violating the provisions of this Code, and any architect, civil engineer, builder, carpenter, mason, contractor, sub-contractor, foreman or any other person who may be employed or assist in the commission of any such violation, and any and all persons who shall violate any of the provisions of this Code or fail to comply therewith, or any requirements

thereof, or who shall violate, or fail to comply with any order or regulation made thereunder, or who shall build in violation of detailed statement, or specifications or plans, submitted and approved thereunder, or of any certificate or permit issued thereunder, shall severally, for each and every such violation and non-compliance, respectively, be liable to a fine of not less than five nor more than one hundred dollars except where special penalties have been provided in this Code, recoverable before the police justice of the city of Richmond, and any person thereafter, having been served with notice to remove any work done in violation of this ordinance or the regulations prescribed thereunder, within ten days after such notice, shall be liable to a fine of not less than ten nor more than one hundred dollars, recoverable before the police justice of the city of Richmond.

PROCEEDINGS AT LAW.

93a. It shall be the duty of the building inspector to report to the police justice all violations of this Code or any order or regulation made thereunder, and when requested by the police justice it shall be the duty of the city attorney to appear and prosecute all such violations of this Code or any such orders or regulations.

CITY ATTORNEY TO BRING SUITS TO ENFORCE PROVISION OF THIS CODE.

b. Whenever the building inspector is satisfied that any building or structure, or any portion thereof, the erection, construction, or alteration, execution or repair of which is regulated, permitted or forbidden by this Code, is being erected, constructed, altered or repaired, or has been erected, constructed, altered or repaired, in violation of, or not in compliance with any of the provisions or requirements of this Code, or in violation of any detailed statement or specifications or plans submitted and approved thereunder, or of any certificate or permit issued thereunder, or that any provision or requirement of this Code, or any order or direction made thereunder, has not been complied with, or that plans and specifications have not been submitted or filed as required by this Code, the building inspector may, in his discretion, through the city attorney, in addition to the prosecution authorized in the foregoing section, and with the approval of said attorney, institute any appropriate action or proceeding, at law or in equity, to restrain, correct or remove such violation, or the execution of any work thereon, or to restrain or correct the erection or alteration of, or to require the removal of, or to prevent the occupation or use of, the building or structure erected, con-

structed or altered, in violation of, or not in compliance with any of the provisions of this Code, or with respect to which the requirements of this Code, or of any order or direction made pursuant to any provisions contained in this Code shall not have been complied with.

In any such action or proceeding the city attorney may at the request of the building inspector, and on his affidavit setting forth the facts, apply to any court of record, in said city, or to a judge thereof, for an order enjoining and restraining all persons from doing or causing or permitting to be done, any work in or upon such building or structure, or in or upon such part thereof as may be designated in said affidavit, or from occupying or using said building or structure or such portion thereof as may be designated in said affidavit for any purpose whatever, until the hearing and determination of said action and the entry of final judgment therein.

The building inspector and any officer, acting in good faith and without malice, shall not be liable for damages by reason of anything done in any such action or proceeding.

NOTICE OF VIOLATION OF CODE; SERVICE OF PAPERS.

94. All notices required by this Code to be given to any person by the building inspector shall be in writing and signed by him, and shall be served by the delivery of a copy thereof to the party to whom the same is addressed, or to his authorized agent or person having his property in charge, by an officer or employee of his office, or by some officer authorized by law to serve notices.

Such notice shall contain a description of the building premises or property on which such violation shall have been put or may exist, or which may be deemed unsafe or dangerous, or to which such notice or order may refer.

If such owner, agent or person in charge of the property cannot be found in the city of Richmond the same may be served by publication by three successive insertions in some daily newspaper published in the city of Richmond.

DANGEROUS OR UNSAFE BUILDINGS, ETC.

95. Upon it being represented to the police justice by any citizen, city officer, police officer, or the building inspector that any building or part of any building, staging or other structure in the city of Richmond is dangerous or unsafe by reason of dilapidation or otherwise to persons passing upon the streets, alleys or other public places of the city of

Richmond, or to persons on private property, or to adjoining property, the police justice shall issue a summons requiring the owner of such building, staging or other structure, and also the persons in possession thereof to appear before him at a time to be specified in the summons, not exceeding ten days thereafter, to contest, if they so desire, the truth of such representations, and shall also, in writing, direct the building inspector to make a careful examination of such building, staging or other structure, and by personal inspection to determine whether or not the same is dangerous and unsafe as represented and report his conclusions in the premises on the day on which the owner or occupants of said building, staging or other structure are summoned to appear, together with his recommendation in the premises; and the said inspector shall likewise personally appear before the police justice to be examined as a witness in relation thereto, and it shall be the duty of the police justice, after considering such report and hearing said inspector on oath, if he or any party in interest so desire, and also hearing any other witnesses introduced on behalf of the city of Richmond or introduced on behalf of the owners or occupants of said building, to determine whether or not the said building, staging or other structure is, in fact, unsafe or dangerous as represented, and if found to be so unsafe and dangerous, he shall, by his order, require such owners, occupants or both, within a time to be specified in his order, either to remove the same or repair and put the same in a safe condition within a specified time not exceeding five days; provided, however, that in case of emergency the said justice may direct the immediate removal, repair or securing of said building, staging or other structure, so that no injury may be occasioned by its collapse, giving to the owner or occupants thereof the option of proceeding with such removal or repair or to take the necessary steps for securing the same within five hours after the entry of the said order, and upon their failure so to do, he shall, in his order, direct the building inspector to proceed with the removal of the said building, or the repair or securing of the same as hereinafter directed.

Should the owner or the occupants of the said building, staging or other structure fail to remove the same in the time prescribed by the order of the justice, they, and each of them, shall be liable to a fine of not less than twenty-five nor more than one hundred dollars, which the police justice may impose after issuing a summons requiring the said owner or occupants to show cause on a given day against the imposition of the said fine; but on the failure of such owners or occupants to remove or repair the same as required, the police justice shall at once order the removal or repair of such building, staging or other structure, and in cases of emergency, to direct the building inspector immediately to hire

the necessary persons to have said building, staging, or other structure removed or repaired under his direction and supervision, or, where the exigencies of the situation will permit, with due regard to the safety of persons and property, the said building inspector shall be directed to advertise for bids for the removal or repair of such building, staging, or other structure, such advertisement to be in the manner and for the length of time by him deemed necessary, and he shall let the removal, demolition or repair of the same to the lowest bidder. All materials derived from the removal or demolition of said building shall be carefully preserved, placed on the premises and sold at public auction by the building inspector, after he shall have first advertised the time and place of such sale in such manner as he may deem best, the proceeds of which sale, after paying therefrom the costs of such removal, demolition or repair he shall turn into the city treasury, which sum so paid into the city treasury shall be held by the city until the persons entitled thereto shall establish their right to the same in a manner satisfactory to the city attorney, on whose order the same may be paid to such person.

In any case in which personal service of a notice is under this section required, if the person upon whom personal service is to be made cannot be found in the city of Richmond, such notice shall be published by three successive insertions in some daily newspaper published in the city of Richmond, and proof of such publication shall be taken and accepted in lieu of personal service.

In any case where the proceeds derived from the sale of building materials sold under this section shall not be sufficient to pay the costs of removal, demolition or repair the building inspector shall report fully in writing his transactions under the order of the police justice, which report shall show the cost of such removal, demolition or repair; the sum received by him for the building material sold and the balance due on account of such removal, demolition or repair; and the sum by such report shown to be in excess of the proceeds of sale of such materials shall be a lien on the property of the owner from which such building, staging or other structure is removed, which report, if approved by the police justice, he shall certify to the city attorney, who shall forthwith institute proper proceedings to recover the same of the owners of the property.

RECOVERY OF BODIES UNDER FALLEN BUILDINGS.

96. In case of the falling of any building or part thereof in the city of Richmond, where persons are known or believed to be buried under the ruins thereof, it shall be the duty of the chief engineer of the fire

department to cause an examination of the premises to be made for the recovery of the bodies of the killed and injured.

Whenever in making such examination, it shall be necessary to remove from the premises any debris, it shall be the duty of the heads of any and all other of the departments of the city of Richmond, when called upon by the building inspector to co-operate, and utilize the hands and carts and employees under their control so far as practicable and to provide a suitable and convenient dumping place for the deposit of such debris.

BUILDINGS IN IMMEDIATE DANGER OF FALLING.

97. In case there shall be, in the opinion of the building inspector, actual and immediate danger of falling of any building or part thereof so as to endanger life or property, said building inspector shall cause the necessary work to be done to render said building or part thereof temporary safe until the proper proceedings can be taken as in the case of an unsafe building as provided for in this Code; provided, the safety of persons and property cannot be secured by temporarily closing the streets and sidewalks adjacent to such buildings, which he is hereby expressly authorized to do in such case, and the immediate removal of the occupants of such buildings and any adjacent buildings which may be endangered.

The building inspector is hereby authorized and empowered in such cases also where any part of a building has fallen and life is endangered by the occupation thereof, to order and require the inmates and occupants of such building or part thereof to vacate the same forthwith.

Any person refusing to vacate as required by this section shall be liable to a fine of not less than \$25.00 nor more than \$100.00, recoverable before the police justice of the city of Richmond.

STOPPAGE OF WORK ON BUILDINGS.

98. In case there shall be, in the opinion of the building inspector, danger to life or property by reason of any defective or illegal work, or work in violation of or not in compliance with any of the provisions or requirements of this Code, the building inspector or such person as may be designated by him, shall have the right, and he is hereby authorized and empowered to order all further work to be stopped in and about said building, and to require all persons in and about said building forthwith to vacate the same, and to cause such work to be done in or about the building as in his judgment may be necessary to remove any damage therefrom. And the building inspector may, when necessary for the public safety, temporarily close the sidewalks and streets adjacent to said build-

ing, or part thereof, and the police department when called upon by the building inspector to co-operate, shall enforce such orders or requirements.

BADGES, UNIFORM AND AUTHORITY.

99. Suitable metal badges of office shall be provided by the building inspector, each badge to be numbered, for all the officials of said department having the right to enter buildings or premises, and to be worn conspicuously by them during their hours of public service. Said badges shall be and remain the property of the city of Richmond.

The building inspector may prescribe a suitable uniform to be worn by each and all of the before-mentioned officials during their hours of public service.

All of the officials of the building inspector's office, so far as it may be necessary for the performance of their respective duties, shall have the right to enter any building or premises in said city, upon showing their badge of office.

INVALIDITY OF ONE SECTION NOT TO INVALIDATE ANY OTHER.

100. The invalidity of any section or provision of this Code shall not invalidate any other section or provision thereof.

101. That hereafter all concrete or reinforced concrete buildings shall be erected under the following rules and regulations:

(1) PROPORTIONS AND MIXING OF REINFORCED CONCRETE WORK FOR BUILDINGS.

The concrete shall be mixed in the proportion of one (1) part cement to two (2) parts sand and not more than four (4) parts aggregate. Where slag or other similar material is used it may be necessary to reduce the proportion of aggregate in order to have the voids properly filled. In no case shall more than two (2) parts sand be used to one (1) part cement, and all mixing must be done by machine if the total amount exceeds seventy-five (75) cubic yards.

(2) PERMITS AND DRAWINGS.

Complete drawings, specifications and details of all reinforced concrete construction, showing the size and position of all reinforcing members, shall be filed with the building inspector before a permit to erect the same shall be issued.

(3) CEMENT, SAND AND INERTS.

(a) *Cement*.—Only Portland cement shall be used which conforms to the standard specifications of the American Society for Testing materials.

All cement shall be tested in lots of not more than one (1) car load, and the building inspector may, at any time, demand that certified copies of all test records be submitted to him for examination.

The minimum requirements for tensile strength for briquettes one (1) inch square in section, shall be:

NEAT CEMENT.

24 hours in moist air.....	200 lbs.
7 days (one day in air, six in water).....	500 lbs.
28 days (one day in air, twenty-seven in water).....	600 lbs.

ONE PART CEMENT, THREE PARTS STANDARD SAND.

7 days (one day in air, six in water).....	175 lbs.
28 days (one day in air, twenty-seven in water).....	250 lbs.

(b) *Sand*.—Sand shall be clean, sharp, and not too fine.

(c) *Aggregate*.—The aggregate shall consist of broken stone, free from dust, clean gravel, slag, or similar material crushed small enough to pass through a three-quarter ($\frac{3}{4}$) inch ring.

Both sand and aggregate shall be subject to the approval of the building inspector, and he may demand that any material in question be tested, at the expense of the owner, in an approved testing laboratory, and the results submitted to him to aid in forming his opinion as to the fitness or unfitness of the material for the purpose intended.

(4) MATERIALS PROHIBITED.

The following inerts shall be excluded in floor construction and fire-proofing except for concrete ballasting over floor construction: Lime-stone, boiler cinders, plaster of Paris, sulphate of lime and all similar materials.

(5) MEASURE OF THICKNESS.

The required thickness of all concrete walls or fire-proofings or floor construction is for the full thickness of the material only, exclusive of the plastering or floor ballasting.

(6) MONOLITHIC WALLS AND PIERS.

Monolithic concrete walls constructed in place without reinforcement shall be of the full thickness, and with reinforcement they may be sixty-six (66) per cent. of the thickness, of the Code requirements, built up within plank or other suitable frame work. Such concrete, unless dumped thoroughly wet and properly worked, shall be tamped in one (1) foot layers, and the exposed surfaces shall be well wetted before adding the next succeeding layer.

(7) CONCRETE FLOOR CONSTRUCTION.

For the purpose of this ordinance, all Portland concrete floor construction shall be designated as follows:

(a) *Arched Concrete*.—When built in an arched form, either with voussoirs or as a monolith, with or without reinforcement.

(b) *Slab Concrete*.—When armored concrete or reinforced concrete with reinforcement in both directions extends in a homogeneous mass around to and rests uniformly upon all its supports.

(c) *Lintel Concrete*.—Is reinforced concrete or if the netting or lattice work is broken with a seam or splice not developing full strength of the mesh laterally and so as to break the homogeneity of a slab.

(d) For trussed concrete floor constructions see sections 15 and 16.

(8) TRUSSED CONCRETE CONSTRUCTION.

By reinforced concrete is meant concrete in which steel is imbedded in such a position that it will resist all tensile stresses and assist in the resistance to shear along proper structural lines so that the stresses in the combination can be ascertained by computation and verified by tests.

The concrete shall be mixed in such proportions and so handled that after it is placed in the form, all voids in the aggregate will be filled with mortar, and all voids in the mortar filled with cement.

Thirty (30) days after mixing it shall develop a crushing strength of not less than two thousand (2,000) pounds per square inch.

(9) TRUSSED CONCRETE STRESSES.

The following unit working stresses shall not be exceeded:

Iron in tension.....	12,000
Medium steel in tension.....	16,000

High steel in tension.....	20,000
Steel in compression.....	10,000
Steel in shear.....	10,000
Concrete in direct compression.....	500
Concrete extreme fibre in compression.....	700
Concrete in shear.....	50

Note.—Seven hundred pounds extreme fibre stress as determined by the straight line formula is equivalent to 580 pounds, determined by the parabolic formula.

(10) TRUSSED CONCRETE ASSUMPTIONS.

All reinforced concrete work shall be designed in accordance with standard engineering practice, and the following assumptions:

That the ration of the moduli of elasticity of concrete to steel is one (1) to fifteen (15). That the adhesion between the concrete and steel makes the two materials act together. That all tensile stresses are taken by the steel. That the stress strain curve of concrete in compression is a straight line.

All bending moments shall be figured according to the common theory of flexure, except that when slabs, beams or girders, are continuous over supports, the bending moment at the center may be figured at not

WL

less than ————— if at least fifty (50) per cent. as much reinforcement
10

is provided at the top over supports as at the center of the member.

In all cases, however, beams and girders which are built monolithic at the supports, shall have at least twenty (20) per cent. as much steel in the top over supports at the center of the beam.

When beams and girders are made monolithic with the floor slab they may be figured as "T" beams. The amount of slab which may be considered part of the beam will depend upon the shearing stresses, but in no case shall exceed two-thirds (2-3) the span of the slab.

(11) TRUSSED CONCRETE COLUMNS.

The column rods shall be tied together by steel hoops spaced not more than twelve (12) inches apart.

When the unsupported length of a concrete column exceeds twelve (12) times its least side or diameter, the allowable compression of the concrete shall be taken as five hundred (500) pounds multiplied by the least side

or diameter of the column in inches and divided by the unsupported length in feet.

For exterior columns subject to eccentric loading or bending of an indeterminate amount, the above stress shall be reduced at least twenty (20) per cent. When the bending stresses in a column can be definitely determined, the combined bending and direct stresses shall not exceed five hundred (500) pounds per square inch.

In buildings over four stories high sufficient steel reinforcement shall be used to carry at least seventy-five (75) per cent. of the dead load of the floors and roof, figuring ten thousand (10,000) pounds per square inch on the steel, except when in buildings of any number of stories the columns are large enough so that the concrete alone will carry the total live and dead loads with a stress of not over five hundred (500) pounds per square inch, the amount of steel reinforcement may be reduced to not less than one (1) per cent. of the required cross-section of the column. The area of the compression rods shall not exceed ten (10) per cent. of the cross-section area of the column.

Proper provision shall be made for transmitting the stresses at the splices in the column rods.

In buildings over four (4) stories high all splices in the reinforcing steel below the upper three floors shall be made by means of riveted connections, sleeve nuts, turnbuckles, or some similar positive connection.

(12) COLUMNS FILLED WITH CONCRETE.

Columns composed of structural steel shapes, latticed together by riveting and filled in solidly and surrounded by concrete, may be figured as trussed concrete columns, except that the allowable stress in the steel may be increased to twelve thousand (12,000) pounds per square inch.

(13) CONCRETE COLUMN PROTECTION.

The outer shell of a concrete filled steel column shall be considered only as a fire-proof covering.

When a steel column or an iron column is to be double covered, the outer shell shall be made with armored concrete of small mesh.

(14) THICKNESS OF "TRUSSED" CONCRETE.

For the purpose of fire protection the reinforcing steel shall be kept away from the surface of the concrete two (2) inches in columns, one and

one-half ($1\frac{1}{2}$) inches in beams and girders, and three-fourths ($\frac{3}{4}$) inch in slabs.

(15) STEEL IN CONCRETE.

Steel.—Steel reinforcement shall be divided into two (2) classes, medium and high tension.

Medium steel shall have an ultimate strength of 60,000 to 70,000 pounds per square inch, and shall conform to the manufacturers' standard specifications, as revised February 6, 1903.

High tension steel shall have an ultimate strength of not less than 80,000 pounds per square inch, and an elastic limit of not less than 45,000 pounds per square inch.

The elongation shall be at least ten (10) per cent. in eight (8) inches.

Bars shall bend cold around a pin of diameter equal to four (4) times the least dimension of the bar without sign of cracking.

(16) TRUSSED CONCRETE FLOOR SYSTEM.

A trussed concrete floor system is a system which employs trussed or reinforced concrete, for all its members except the columns.

(17) TRUSSED CONCRETE FRAME.

A trussed concrete frame is a frame work in which all the iron and steel members of a "skeleton" frame are replaced by trussed or reinforced concrete, inclusive of the columns.

(18) TRUSSED FRAMES AND FLOORS.

The proportioning of trussed or reinforced concrete frames and floor systems and their construction in buildings shall be governed by all the sections of this ordinance which regulate and pertain to iron and steel "skeleton" frames, their framing and enclosing.

(19) SUPERVISION AND WORKING OF.

All concrete work shall be constructed along proper structural lines and when a section or panel of armored or reinforced concrete or any trussed concrete member is started, it shall be finished in its entirety before shutting down.

During hot weather the concrete shall be kept damp, for at least a week after placing, by frequent drenching with water.

Special care shall be used to see that each piece of reinforcement is in its proper position before pouring, and is not moved in placing the concrete.

In filling columns the concrete shall be poured in small batches, preferably by dumping the barrows on the floor, and shoveling the concrete into the column. During the operation the concrete in the column shall be constantly churned with a pole or spader to prevent arching in the interior of the column.

(20) REMOVAL OF.

All unfinished and unsafe panels or sections shall be removed before starting a new one, and any batches or remnants of materials containing cement, not used on the first set, shall be condemned and removed whether in the wall or floor, or in the vicinity of the work.

(21) CENTERING AND FORMS.

All forms shall be built in a substantial manner, plumb and true, with tight joints, so that no appreciable part of the concrete mixture can escape, and shall be so supported and braced that they will carry all the usual loads which may come upon them without springing or deflection.

An opening shall be left at the bottom of all column forms for cleaning and for adjusting the steel. This opening shall not be closed until all is in readiness for pouring the columns. The forms shall be carefully cleaned just before concreting, and all chips, ice and other foreign matter removed.

Before removing the shores under any beam or girder, the column supporting it shall be so stripped, so that the columns may be examined on all sides. Pouring columns in chases left in the masonry shall not be allowed.

Provided ample shores are used to carry the full weight of the floor, column forms may be removed in not less than four (4) days after pouring.

The time which should elapse before removing the shores under beams and girders varies with the design and condition of the weather, but in no case shall they be removed in less than three (3) weeks after pouring.

The supports under floor slabs shall not be removed in less than ten (10) days after pouring, but this clause is not intended to prevent removing the joists and lagging in less time, provided the slabs are kept properly shored up.

(22) FREEZING WEATHER.

All structural concrete exposed to or worked in the outer air shall not be worked when the temperature is 32 degrees F., or less, in the shade, and any concrete liable to be exposed to frost or snow, or ice, before it has attained its permanent set, shall be temporarily protected, and centers of such exposed concrete shall not be removed until the season has advanced beyond the probability of a frost, or until the building is properly enclosed.

No frozen material or material covered with ice shall be used.

(23) INSPECTIONS AND TESTS.

When any concrete wall or armored, reinforced or trussed concrete is used in construction, the owner shall provide for the inspection of cement and inerts, as required by the building inspector; he shall also provide a special inspector of the work, who shall be satisfactory at all times to the building inspector, and who shall be on the work continually during the mixing and the placing of concrete and steel. Such special inspector shall make daily reports to the building inspector on the progress of the work.

Before issuing a permit for the work, the owner shall name in writing the special inspector, and such special inspector shall pass such examination as may be required by the building inspector, to determine his competency.

Before a building containing reinforced concrete floors is occupied, the floors shall be tested by applying a load equal to three (3) times the figured live load to such parts as the building inspector may select. The floor shall sustain this load for at least twenty-four (24) hours without cracking or other evident signs of failure.

(24) The owner of any building, structure, or part thereof, or of any wall, or floor, violating the provisions of this ordinance, and any architect, civil engineer, builder, carpenter, mason, contractor, sub-contractor, foreman, or any other person, who may be employed or assist in such violation, and any and all persons who shall violate any of the provisions of this ordinance or fails to comply therewith or any requirements thereof or who shall violate or fail to comply with any order and regulation made thereunder, or who shall build in violation of detailed statement or specifications or plans submitted and approved thereunder, or of any certificate or permit issued thereunder, shall severally for each and every such violation and non-compliance, respectively, be liable to a fine of not less than ten nor more than one hundred dollars, recoverable before the police

justice of the city of Richmond, and any person thereafter, having been served with notice to remove any work done in violation of this ordinance or the regulation prescribed thereunder, within ten days after such notice, shall be liable to a fine of not less than twenty-five nor more than one hundred dollars, recoverable before the police justice of the city of Richmond. (April 19, 1909.)

102. That the building inspector be, and he is hereby, prohibited from issuing any permit under any provision of the Building Code of the city of Richmond for the erection within the limits of the city of Richmond of any public, boarding, livery, club, sales or exchange stable or private stable with over four stalls, until the persons desiring such permit shall have first obtained authority from the council of the city of Richmond for the erection of the same. (December 20, 1909.)

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